

U.S. Department of Housing and Urban Development

Do Not Pay Policy

6/4/2015

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Do Not Pay Policy

- Purpose: Pursuant to the Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA), Public Law 112-248, all awards and payments made by the Department of Housing and Urban Development (HUD), including those made by the Federal Housing Administration (FHA) and the Government National Mortgage Association (GNMA), are subject to the requirements of section 5, which describes the Do Not Pay (DNP) Initiative.
- Background: On January 10, 2013, the President signed IPERIA (Attachment A) into law. The law codified the DNP Initiative, which includes multiple resources that are designed to help agencies confirm that the right recipient receives the right payment for the right reason at the right time. IPERIA provides the Federal Government with new tools and authorities to help agencies effectively implement the DNP Initiative. Section 5 of IPERIA, the DNP Initiative, requires that agencies review pre-payment and pre-award procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent improper payments before the release of any Federal funds.

OMB Memo M-13-20 - *Protecting Privacy while Reducing Improper Payments with the Do Not Pay Initiative* (Attachment B), provides guidance to agencies for implementing section 5 of IPERIA and the DNP Initiative. Specifically, IPERIA establishes new standards and procedures that apply to matching programs conducted exclusively for purposes of the DNP Initiative. The DNP-specific standards and procedures do not apply to other efforts to combat improper payments or matching programs that are not part of the DNP Initiative. For all matching programs, HUD shall continue to follow the existing standards and procedures in law and OMB policies unless directed otherwise in OMB guidance.

- 3 **Effective Date of This Policy:** June 2015. The policy will be reviewed and updated as necessary when there are changes to the law or OMB guidance.
- 4 **Responsibilities:**
 - 4.1 **Pre-Award and Pre-Payment Check against Do Not Pay List:** All HUD program and support offices, including FHA and GNMA, must ensure that a thorough pre-payment and pre-award review of available databases with relevant information on eligibility is performed to determine program or award eligibility and prevent improper payments before the release of any Federal funds. To verify eligibility of any payments or awards before issuance each program and support office must review, as appropriate, the:
 - Death Master File of the Social Security Administration (DMF),
 - General Services Administration's Excluded Parties List System (EPLS),
 - Debt Check Database of the Department of the Treasury,
 - Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development, and

• List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

To facilitate this process, all HUD offices, including FHA and GNMA, should utilize the tools provided by the DNP Portal, unless otherwise indicated by other standards or procedures prescribed by superseding law, after ensuring sufficient legal authority, including verifying the existence of a computer matching agreement where applicable, to engage in a matching program to satisfy the requirements of the DNP Initiative.

- 4.1.1 Access and Review: For purposes of identifying and preventing improper payments, each HUD office shall have access to, and use of, the tools provided by the DNP Portal for the purpose of verifying payment or award eligibility. Each office shall obtain access to the tools provided by the DNP Portal for federal or contract employees who have responsibilities for paying vouchers or awarding grants or contracts to allow individual review of awardees and payees for eligibility, and for federal or contract employees with the responsibility of processing automated review of awardees and payees for eligibility through batch adjudication.
- 4.1.2 **DNP Program Tools Instruction Usage:** Program and support offices shall use the adjudication tools provided by the DNP Program as instructed by the Bureau of Fiscal Service's DNP Program Liaison to HUD. Instruction for the use of the tools provided by the DNP Program will be provided in the form of user guides and training sessions coordinated by the DNP Program Liaison and by HUD's Office of the Chief Financial Officer (OCFO). Usage abilities and roles are subject to change, as required by changes in DNP systems and HUD organization, by the DNP Program and the OCFO.
- 4.1.3 **Payment Otherwise Required:** When using the tools provided by the DNP, program and support offices shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative. All positive matches of potential payees or grantees shall be reviewed for approval by the program or support office's legal counsel and management and may be approved for payment or award if required or allowed by superseding law or statute.
- 4.2 **Identification and Recovery of Improper Payments:** On a continual basis, post-payment review of payments for verified matches to the lists described in section 4.1 of this policy shall be completed by the DNP Program. It is the responsibility of HUD and its program and support offices to monitor the DNP system for reported matches and submit the adjudication status of any positive match after research and action has been taken by the issuing program or support office.

- 4.2.1 **Access and Review:** For purposes of identifying and recovering improper payments, each HUD office shall designate a primary and secondary point of contact which will have access to, and use of, the appropriate tools provided by the DNP Program as designated by the DNP Program and the OCFO. See part 5 of this policy.
- 4.2.2 **DNP Program Tools Instruction Usage:** Program and support offices shall use the adjudication tools provided by the DNP Program as instructed by the Bureau of Fiscal Service's DNP Program Liaison to HUD. Instruction for the use of the tools provided by the DNP Program will be provided in the form of user guides and training sessions coordinated by the DNP Program Liaison and by HUD's Office of the Chief Financial Officer (OCFO). Usage abilities and roles are subject to change, as required by changes in DNP systems and HUD organization, by the DNP Program and the OCFO.
- 4.2.3 Adjudication and Recovery: There may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative. All verified matches of payees shall be reviewed for approval by the program or support office's legal counsel and management and may be required or allowed by superseding law or statute. The disposition of all payments whose payees are a verified match to a payee in the lists described in part 4.1 of this section must be reported in the DNP system after adjudication is complete. In the event that a payee is a verified match and the payment is improper or not allowable, the program or support office must, in consultation with legal counsel, decide and implement the best course of action for recovery of the improperly paid funds.
- Monitoring: Continuous monitoring of the DNP Portal for payment matches will be completed by the Treasury, program and support offices, and the OCFO. Specific limitations on access to the tools provided by the DNP Program will apply based on DNP system limitations and HUD organization structure. Adjudication reporting of any verified matches for program or support offices with limited access will be coordinated through the OCFO.
- Records: The program and support offices are responsible for maintaining records of payments and recovery activities in compliance with current National Archives and Records Administration General Records Schedule requirements. The filing methodology used must provide for retrieval of specific paid documents on request.
- 7 Attachment A: Public Law 112-248 Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA)
- 8 Attachment B: M-13-20 Protecting Privacy while Reducing Improper Payments with the Do Not Pay Initiative
- 9 Attachment C: Do Not Pay Portal User Guide

PUBLIC LAW 112-248—JAN. 10, 2013

IMPROPER PAYMENTS ELIMINATION AND RECOVERY IMPROVEMENT ACT OF 2012

Public Law 112–248 112th Congress

An Act

Jan. 10, 2013 [H.R. 4053]

To intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending.

Improper Payments Elimination and Recovery Improvement Act of 2012. 31 USC 3321 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improper Payments Elimination and Recovery Improvement Act of 2012".

SEC. 2. DEFINITIONS.

In this Act—

- (1) the term "agency" means an executive agency as that term is defined under section 102 of title 31, United States
- (2) the term "improper payment" has the meaning given that term in section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), as redesignated by section
- 3(a)(1) of this Act; and
 (3) the term "State" means each State of the United States, the District of Columbia, each territory or possession of the United States, and each federally recognized Indian tribe.

SEC. 3. IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS BY FEDERAL AGENCIES.

- (a) In General.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended—
 - (1) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively;

(2) by inserting after subsection (a) the following:

"(b) Improving the Determination of Improper Payments.—

"(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis-

- "(A) identify a list of high-priority Federal programs for greater levels of oversight and review-
 - "(i) in which the highest dollar value or highest rate of improper payments occur; or

"(ii) for which there is a higher risk of improper

- payments; and "(B) in coordination with the agency responsible for administering the high-priority program, establish annual targets and semi-annual or quarterly actions for reducing improper payments associated with each high-priority pro-
- gram. "(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

Deadline.

"(A) IN GENERAL.—Subject to Federal privacy policies and to the extent permitted by law, each agency with a program identified under paragraph (1)(A) on an annual basis shall submit to the Inspector General of that agency, and make available to the public (including availability through the Internet), a report on that program.

"(B) CONTENTS.—Each report under this paragraph—

"(i) shall describe-

"(I) any action the agency—

"(aa) has taken or plans to take to recover improper payments; and

"(bb) intends to take to prevent future

improper payments; and

- "(ii) shall not include any referrals the agency made or anticipates making to the Department of Justice, or any information provided in connection with such referrals.
- "(C) Public availability on central website.—The Office of Management and Budget shall make each report submitted under this paragraph available on a central website.
- "(D) AVAILABILITY OF INFORMATION TO INSPECTOR GEN-ERAL.—Subparagraph (B)(ii) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.
- "(E) ASSESSMENT AND RECOMMENDATIONS.—The Inspector General of each agency that submits a report under this paragraph shall, for each program of the agency that is identified under paragraph (1)(A)—

"(i) review–

'(I) the assessment of the level of risk associated with the program, and the quality of the improper payment estimates and methodology of the agency relating to the program; and

"(II) the oversight or financial controls to identify and prevent improper payments under the

- program; and "(ii) submit to Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the agency relating to the program, including improvements for improper payments determination and estimation methodology.";
- (3) in subsection (d) (as redesignated by paragraph (1) of this subsection), by striking "subsection (b)" each place that
- term appears and inserting "subsection (c)";

 (4) in subsection (e) (as redesignated by paragraph (1) of this subsection), by striking "subsection (b)" and inserting "subsection (c)"; and
- (5) in subsection (g)(3) (as redesignated by paragraph (1) of this subsection), by inserting "or a Federal employee" after "non-Federal person or entity".
- (b) IMPROVED ESTIMATES.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall provide guidance to agencies for improving the estimates of improper payments under the

Public information. Web posting.

Deadline. Guidance. Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) GUIDANCE.—Guidance under this subsection shall—

(A) strengthen the estimation process of agencies by setting standards for agencies to follow in determining the underlying validity of sampled payments to ensure amounts being billed, paid, or obligated for payment are proper;

(B) instruct agencies to give the persons or entities performing improper payments estimates access to all necessary payment data, including access to relevant docu-

mentation;

(C) explicitly bar agencies from relying on selfreporting by the recipients of agency payments as the sole

source basis for improper payments estimates;

(D) require agencies to include all identified improper payments in the reported estimate, regardless of whether the improper payment in question has been or is being recovered;

(E) include payments to employees, including salary, locality pay, travel pay, purchase card use, and other employee payments, as subject to risk assessment and, where appropriate, improper payment estimation; and

(F) require agencies to tailor their corrective actions for the high-priority programs identified under section 2(b)(1)(A) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) to better reflect the unique processes, procedures, and risks involved in each specific program.

(c) Technical and Conforming Amendments.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 111-

204; 31 U.S.C. 3321 note) is amended-

- (1) in section 2(h)(1), by striking "section 2(f)" and all that follows and inserting "section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)."; and (2) in section 3(a)-
 - (A) in paragraph (1), by striking "section 2(f)" and all that follows and inserting "section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)."; and

(B) in paragraph (3)—

- (i) by striking "section 2(b)" each place it appears
- and inserting "section 2(c)"; and
 (ii) by striking "section 2(c)" each place it appears and inserting "section 2(d)".

SEC. 4. IMPROPER PAYMENTS INFORMATION.

Section 2(a)(3)(A)(ii) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking "with respect to fiscal years following September 30th of a fiscal year beginning before fiscal year 2013 as determined by the Office of Management and Budget" and inserting "with respect to fiscal year 2014 and each fiscal year thereafter".

SEC. 5. DO NOT PAY INITIATIVE.

(a) Prepayment and Preaward Procedures.—

(1) IN GENERAL.—Each agency shall review prepayment and preaward procedures and ensure that a thorough review

Review.

of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent

improper payments before the release of any Federal funds.

(2) Databases.—At a minimum and before issuing any payment and award, each agency shall review as appropriate the following databases to verify eligibility of the payment and award:

(A) The Death Master File of the Social Security Administration.

(B) The General Services Administration's Excluded Parties List System.

(C) The Debt Check Database of the Department of the Treasury

(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.

(E) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

(b) Do Not Pay Initiative.

(1) ESTABLISHMENT.—There is established the Do Not Pay Initiative which shall include—

(A) use of the databases described under subsection

(B) use of other databases designated by the Director of the Office of Management and Budget in consultation with agencies and in accordance with paragraph (2).

(2) OTHER DATABASES.—In making designations of other databases under paragraph (1)(B), the Director of the Office of Management and Budget shall—

(A) consider any database that substantially assists in preventing improper payments; and

(B) provide public notice and an opportunity for comment before designating a database under paragraph (1)(B).

(3) Access and review by agencies.—For purposes of identifying and preventing improper payments, each agency shall have access to, and use of, the Do Not Pay Initiative to verify payment or award eligibility in accordance with subsection (a) when the Director of the Office of Management and Budget determines the Do Not Pay Initiative is appropriately established for the agency.

(4) PAYMENT OTHERWISE REQUIRED.—When using the Do Not Pay Initiative, an agency shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the

Do Not Pay Initiative.

(5) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress an annual report, which may be included as part of another report submitted to Congress by the Director, regarding the operation of the Do Not Pay Initiative, which shall-

(A) include an evaluation of whether the Do Not Pay Initiative has reduced improper payments or improper awards; and

(B) provide the frequency of corrections or identification of incorrect information.

Public information.

Evaluation.

Deadline.

- (c) Database Integration Plan.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall provide to the Congress a plan
 - (1) inclusion of other databases on the Do Not Pay Initiative:
 - (2) to the extent permitted by law, agency access to the Do Not Pay Initiative; and
 - (3) the data use agreements described under subsection (e)(2)(D).

(d) Initial Working System.—

- (1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall establish a working system for prepayment and preaward review that includes the Do Not Pay Initiative as described under this section.
- (2) Working system.—The working system established under paragraph (1)-

(A) may be located within an appropriate agency;

(B) shall include not less than 3 agencies as users of the system; and

(C) shall include investigation activities for fraud and systemic improper payments detection through analytic technologies and other techniques, which may include commercial database use or access.

(3) APPLICATION TO ALL AGENCIES.—Not later than June 1, 2013, each agency shall review all payments and awards for all programs of that agency through the system established under this subsection.

(e) FACILITATING DATA ACCESS BY FEDERAL AGENCIES AND Offices of Inspectors General for Purposes of Program INTEGRITY.

- (1) Definition.—In this subsection, the term "Inspector General" means any Inspector General described in subparagraph (A), (B), or (I) of section 11(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) and any successor Inspector General.
- (2) Computer matching by federal agencies for pur-POSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAY-MENTS AND FRAUD.-
 - (A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974), each Inspector General and the head of each agency may enter into computer matching agreements with other inspectors general and agency heads that allow ongoing data matching (which shall include automated data matching) in order to assist in the detection and prevention of improper payments.
 - (B) REVIEW.—Not later than 60 days after a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5, United States Code, for consideration, the Data Integrity Board shall respond to the proposal.

(C) TERMINATION DATE.—An agreement under subparagraph (A)—

Deadlines.

Review.

Deadline.

 $\left(i\right)$ shall have a termination date of less than 3 years; and

(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the agencies entering the agree-

ment for not more than 3 years.

(D) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5, United States Code, shall be applied by substituting "between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies" for "between the source agency and the recipient agency or non-Federal agency" in the matter preceding subparagraph (A).

(E) Cost-benefit analysis.—A justification under section 552a(o)(1)(B) of title 5, United States Code, relating to an agreement under subparagraph (A) is not required to contain a specific estimate of any savings under the

computer matching agreement.

(3) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—Not later than 6 months after the date of enactment of this Act, and in consultation with the Council of the Inspectors General on Integrity and Efficiency, the Secretary of Health and Human Services, the Commissioner of Social Security, and the head of any other relevant agency, the Director of the Office of Management and Budget shall—

(A) issue guidance for agencies regarding implementing

this subsection, which shall include standards for—

(i) reimbursement of costs, when necessary,

between agencies;

(ii) retention and timely destruction of records in accordance with section 552a(o)(1)(F) of title 5, United States Code; and

(iii) prohibiting duplication and redisclosure of records in accordance with section 552a(o)(1)(H) of title

5, United States Code;

(B) review the procedures of the Data Integrity Boards established under section 552a(u) of title 5, United States Code, and develop new guidance for the Data Integrity Boards to—

(i) improve the effectiveness and responsiveness of the Data Integrity Boards;

(ii) ensure privacy protections in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974); and

(iii) establish standard matching agreements for

use when appropriate; and

(C) establish and clarify rules regarding what constitutes making an agreement entered under paragraph (2)(A) available upon request to the public for purposes of section 552a(o)(2)(A)(ii) of title 5, United States Code, which shall include requiring publication of the agreement on a public website.

(4) CORRECTIONS.—The Director of the Office of Management and Budget shall establish procedures providing for the

correction of data in order to ensure—

(A) compliance with section 552a(p) of title 5, United States Code; and

Time period.

Applicability.

Deadline.

Review

Regulations. Public information. Web posting.

Procedures.

- (B) that corrections are made in any Do Not Pay Initiative database and in any relevant source databases designated by the Director of the Office of Management and Budget under subsection (b)(1).
- (5) ČOMPLIANCE.—The head of each agency, in consultation with the Inspector General of the agency, shall ensure that any information provided to an individual or entity under this subsection is provided in accordance with protocols established under this subsection.

(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the rights of an individual under

section 552a(p) of title 5, United States Code.

- (f) Development and Access to a Database of Incarcerated Individuals.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress recommendations for increasing the use of, access to, and the technical feasibility of using data on the Federal, State, and local conviction and incarceration status of individuals for purposes of identifying and preventing improper payments by Federal agencies and programs and fraud.
- (g) Plan To Curb Federal Improper Payments to Deceased Individuals by Improving the Quality and Use by Federal Agencies of the Social Security Administration Death Master File.—
 - (1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and the States, the Director of the Office of Management and Budget shall establish a plan for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported to the Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).
 - (2) ADDITIONAL ACTIONS UNDER PLAN.—The plan established under this subsection shall include recommended actions by agencies to—
 - (A) increase the quality and frequency of access to the Death Master File and other death data;
 - (B) achieve a goal of at least daily access as appropriate;
 - (C) provide for all States and other data providers to use improved and electronic means for providing data;
 - (D) identify improved methods by agencies for determining ineligible payments due to the death of a recipient through proactive verification means; and
 - (E) address improper payments made by agencies to deceased individuals as part of Federal retirement programs.
 - (3) REPORT.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress on the plan established under this subsection, including recommended legislation.

SEC. 6. IMPROVING RECOVERY OF IMPROPER PAYMENTS.

(a) DEFINITION.—In this section, the term "recovery audit" means a recovery audit described under section 2(h) of the Improper

Deadline. Recommendations. Payments Elimination and Recovery Act of 2010 (31 U.S.C. 3301 note).

(b) REVIEW.—The Director of the Office of Management and Determination. Budget shall determine-

(1) current and historical rates and amounts of recovery of improper payments (or, in cases in which improper payments are identified solely on the basis of a sample, recovery rates and amounts estimated on the basis of the applicable sample), including a list of agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

(2) targets for recovering improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

Approved January 10, 2013.

LEGISLATIVE HISTORY—H.R. 4053 (S. 1409):

HOUSE REPORTS: No. 112–698 (Comm. on Oversight and Government Reform). SENATE REPORTS: No. 112–181 (Comm. on Homeland Security and Governmental Affairs) accompanying S. 1409. CONGRESSIONAL RECORD, Vol. 158 (2012):

Dec. 13, considered and passed House. Dec. 20, considered and passed Senate.



EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

THE DIRECTOR

August 16, 2013

M-13-20

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM:

Sylvia M. Burw

Director

SUBJECT:

Protecting Privacy while Reducing Improper Payments with the Do Not Pay

5

Initiative

This Memorandum implements section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA)¹ and provides guidance to help Federal agencies protect privacy while reducing improper payments with the Do Not Pay (DNP) Initiative.

In Executive Order 13520 of November 20, 2009 (*Reducing Improper Payments*), the President directed agencies to identify "ways in which information sharing may improve eligibility verification and pre-payment scrutiny." To help agencies implement the Executive Order, the President issued memoranda on finding and recapturing improper payments and enhancing payment accuracy through a "Do Not Pay List." The President directed the establishment of a "single point of entry" through which agencies would access relevant data in order to determine eligibility for a Federal award or payment.

In April 2012, OMB released a memorandum describing the efforts of OMB and the Department of the Treasury (Treasury) to establish the DNP Initiative. The memorandum directed agencies to develop a plan for using the DNP Initiative for pre-payment eligibility reviews. In January 2013, the President signed IPERIA into law, codifying the ongoing efforts to develop and enhance the DNP Initiative. As the Federal Government takes these important steps to prevent waste, fraud, and abuse in Federal spending, it is vital for agencies to ensure that individual privacy is fully protected.

¹ Pub. L. No. 112-248, 126 Stat. 2390 (2013).

² 74 Fed. Reg. 62201 (Nov. 20, 2009), available at http://www.gpo.gov/fdsys/pkg/FR-2009-11-25/pdf/E9-28493.pdf.

³ Memorandum of March 10, 2010, Finding and Recapturing Improper Payments, 75 Fed. Reg. 12119 (Mar. 10, 2010), available at

http://www.whitehouse.gov/sites/default/files/omb/assets/financial_improper/03102010_improper_payments.pdf.

4 Memorandum of June 18, 2010, Enhancing Payment Accuracy Through a "Do Not Pay List," 75 Fed. Reg. 35953 (June 18, 2010), available at

http://www.whitehouse.gov/sites/default/files/omb/assets/financial_improper/06232010_donotpaylist.pdf.

See OMB Memorandum M-12-11, Reducing Improper Payments through the "Do Not Pay List" (Apr. 12, 2012), available at http://www.whitehouse.gov/sites/default/files/omb/memoranda/2012/m-12-11_1.pdf.

As required by IPERIA, this Memorandum sets forth implementation guidance for the DNP Initiative to help ensure that the Federal Government's efforts to reduce improper payments comply with privacy laws and policies.

1. Background

On January 10, 2013, the President signed IPERIA into law. Among other things, the law codified the Administration's DNP Initiative already underway across the Federal Government. The DNP Initiative includes multiple resources that are designed to help agencies confirm that the right receives the right payment for the right reason at the right time. IPERIA provides the Federal Government with new tools and authorities to help agencies effectively implement the DNP Initiative.

Section 5(e)(3) of IPERIA requires OMB to issue guidance implementing the relevant parts of the law. In particular, the statute requires OMB to provide guidance to agencies on reimbursement of costs between agencies, retention and timely destruction of records, and prohibiting the duplication and redisclosure of records. Furthermore, under IPERIA, OMB must also provide guidance to help improve the effectiveness and responsiveness of agencies' Data Integrity Boards (DIBs). This Memorandum addresses all of these points and provides additional guidance on several other issues that are relevant to the DNP Initiative.

This Memorandum builds on previous OMB guidance. In 1988, Congress amended the Privacy Act of 1974⁶ to establish procedural safeguards for agencies' use of computer matching programs.⁷ The following year, OMB issued guidance to help agencies interpret the law and meet the new requirements.⁸ Since releasing the original computer matching guidance, OMB has issued additional guidance regarding computer matching.⁹ This Memorandum supplements the existing OMB documents and provides new guidance to help agencies protect privacy while reducing improper payments with the DNP Initiative.

2. Scope and Applicability

This Memorandum implements section 5 of IPERIA and applies to agencies' activities related to the DNP Initiative. Some of the requirements in this Memorandum apply to all DNP Initiative activities (indicated by the term "DNP Initiative"), while other requirements are specific to Treasury's Working System (indicated by the term "Treasury's Working System"), as

⁷ Computer Matching and Privacy Protection Act of 1988, Pub. L. No.100-503, 102 Stat. 2507 (1988).

¹⁰ IPERIA applies only to executive agencies of the Federal Government, not to State or local governments or non-executive Federal agencies.

⁶ 5 U.S.C. § 552a.

⁸ Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 Fed. Reg. 25818 (June 19, 1989), *available at*

http://www.whitehouse.gov/sites/default/files/omb/assets/omb/inforeg/final_guidance_pl100-503.pdf.

⁹ See OMB Memorandum M-01-05, Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy (Dec. 20, 2000), available at http://www.whitehouse.gov/omb/memoranda_m01-05/; see also OMB Circular A-130, Federal Agency Responsibilities for Maintaining Records About Individuals, available at http://www.whitehouse.gov/omb/circulars_a130_a130trans4.

defined in section 3 of this Memorandum. As required by section 5(e)(3)(B) of IPERIA, this guidance also clarifies some issues regarding matching programs in general.¹¹

Although this Memorandum creates new policy requirements, nothing in this document extends the legal requirements of the Privacy Act to information or activities that would not otherwise be covered under the statute. Notably, IPERIA does not modify the definitions in the Privacy Act. For example, the matching requirements of the Privacy Act only apply to a "matching program," and only apply to a Federal benefit match if the match involves a "Federal benefit program," as defined in the statute. Agencies should consult with their counsel and senior agency official for privacy to determine whether an activity is covered by the requirements in the Privacy Act and the corresponding requirements in this Memorandum.

While IPERIA does not explicitly amend the definitions in the Privacy Act, it nonetheless changes how the Privacy Act applies for purposes of the DNP Initiative. ¹³ Specifically, IPERIA establishes new standards and procedures that apply to matching programs conducted exclusively for purposes of the DNP Initiative. The DNP-specific standards and procedures do not apply to other efforts to combat improper payments or matching programs that are not part of the DNP Initiative. For all matching programs, agencies shall continue to follow the existing standards and procedures in law and OMB policies unless directed otherwise in this guidance. In particular, agencies shall follow OMB's *Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988*, ¹⁴ OMB Circular A-130, ¹⁵ and OMB Memorandum M-01-05, *Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy*. ¹⁶

3. Definitions

a. The terms "agency," "individual," "maintain," "record," "system of records," "routine use," "recipient agency," "non-Federal agency," and "source agency," as used in this Memorandum, are defined in the Privacy Act. 17

¹¹ For example, section 13 of this Memorandum establishes some general requirements regarding the performance of agencies' Data Integrity Boards.

¹⁷ See 5 U.S.C. § 552a(a)(1)-(5), (7), (9)-(11).

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As provided in OMB guidance, agencies shall consider applying the matching principles in contexts other than those covered by the matching requirements. See OMB Memorandum M-01-05, Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy (Dec. 20, 2000) ("Although this guidance applies directly only to programs covered by the Matching Act, agencies should consider applying these principles in other data sharing contexts.").

¹³ For example, section 5(e)(2)(D) of IPERIA provides that, for the purposes of IPERIA, section 552a(o)(1) of the Privacy Act shall be applied by substituting "between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies" for "between the source agency and the recipient agency or non-Federal agency" in the matter preceding subparagraph (A).

¹⁴ Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 Fed. Reg. 25818 (June 19, 1989), available at http://www.whitehouse.gov/sites/default/files/omb/assets/omb/inforeg/final_guidance_pl100-503.pdf.

¹⁵ OMB Circular A-130, Federal Agency Responsibilities for Maintaining Records About Individuals, *available at* http://www.whitehouse.gov/omb/circulars a130 a130trans4.

OMB Memorandum M-01-05, Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy (Dec. 20, 2000), available at http://www.whitehouse.gov/omb/memoranda m01-05/

- b. Computer matching agreement. The term "computer matching agreement" (CMA) means a written agreement between a source agency and a recipient agency (or multiple source and/or recipient agencies, as appropriate) or a non-Federal agency that allows the parties to engage in a matching program. In a Do Not Pay matching program, original source agencies need not be a party to a computer matching agreement between Treasury and a payment-issuing agency. Computer matching agreements are described in more detail in the Privacy Act, 5 U.S.C. § 552a(o), and in OMB guidance. 18
- c. Data Integrity Board. The term "Data Integrity Board" (DIB) means the board of senior personnel designated by the head of an agency that is responsible for reviewing the agency's proposals to conduct or participate in a matching program, and for conducting an annual review of all matching programs in which the agency has participated.
- d. Do Not Pay Initiative. The term "Do Not Pay Initiative" (DNP Initiative) means the initiative codified by section 5 of IPERIA to facilitate Federal agencies' review of payment or award eligibility for purposes of identifying and preventing improper payments. The initiative may include other activities, as designated by OMB.
- e. Do Not Pay matching program. The term "Do Not Pay matching program" (DNP matching program) means a matching program (as defined in this Memorandum) that is conducted for purposes of the Do Not Pay Initiative and involves at least one of the five databases enumerated in section 5(a)(2) of IPERIA and/or a database designated by OMB pursuant to section 5(b) of this Memorandum. Do Not Pay matching programs are subject to alternative standards and procedures (as provided in this Memorandum) that are different from the standards and procedures that apply to matching programs outside of the Do Not Pay Initiative.
- f. Federal benefit program. The term "Federal benefit program" is defined in the Privacy Act¹⁹ and refers to any program administered or funded by the Federal Government, or by any agent or State on behalf of the Federal Government, providing cash or in-kind assistance in the form of payments, grants, loans, or loan guarantees to individuals.
- g. *Improper payment*. The term "improper payment" is defined in the Improper Payments Information Act of 2002²⁰ and refers to a payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements. The definition includes any payment made to an ineligible recipient, any payment for an ineligible service, any duplicate payment, payments for services not rendered, and any payment that does not account for credit for applicable discounts.

¹⁹ See 5 U.S.C. § 552a(a)(12). ²⁰ Pub. L. No. 107-300 (2002) (codified at 31 U.S.C. § 3321 note).

¹⁸ See Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 Fed. Reg. 25818, 25826 (June 19, 1989).

- h. *Inspector General*. The term "Inspector General" means a Federal agency official described in subparagraph (A), (B), or (I) of section 11(b)(1) of the Inspector General Act of 1978²¹ and any successor Inspector General.
- i. *Matching program*. The term "matching program" is defined in the Privacy Act²² and generally refers to a computerized comparison of records from two or more automated systems of records, or an automated system of records and automated records maintained by a non-Federal agency (or agent thereof). A matching program either pertains to Federal benefit programs or Federal personnel or payroll records. A Federal benefit match is performed for purposes of determining or verifying eligibility for payments under Federal benefit programs, or recouping payments or delinquent debts under Federal benefit programs. A matching program involves not just the matching activity itself, but also the investigative follow-up and ultimate action, if any.
- j. *Multilateral computer matching agreement*. The term "multilateral computer matching agreement" (multilateral CMA) means a computer matching agreement that involves more than two agencies.²³ For the purposes of a Do Not Pay matching program involving Treasury's Working System, a multilateral computer matching agreement involves Treasury and more than one payment-issuing agency.
- k. *Original source agency*. The term "original source agency" means a Federal agency that discloses records from a system of records to another agency in order to allow that

²² The term "matching program" (A) means any computerized comparison of – (i) two or more automated systems of records or a system of records with non-Federal records for the purpose of –

(II) recouping payments or delinquent debts under such Federal benefit programs . . .

(B) but does not include -

(i) matches performed to produce aggregate statistical data without any personal identifiers; (ii) matches performed to support any research or statistical project, the specific data of which may not be used to make decisions concerning the rights, benefits, or privileges of specific individuals; (iii) matches performed, by an agency (or component thereof) which performs as its principal function any activity pertaining to the enforcement of criminal laws, subsequent to the initiation of a specific criminal or civil law enforcement investigation of a named person or persons for the purpose of gathering evidence against such person or persons; (iv) matches of tax information . . . (v) matches —

(I) using records predominantly relating to Federal personnel, that are performed for routine administrative purposes . . .

(II) conducted by an agency using only records from systems of records maintained by that agency if the purpose of the match is not to take any adverse financial, personnel, disciplinary, or other adverse action against Federal personnel; or (vi) matches performed for foreign counterintelligence purposes or to produce background checks for security clearances of Federal personnel or Federal contractor personnel; (vii) matches performed incident to a levy described in section 6103(k)(8) of the Internal Revenue Code of 1986; or (viii) matches performed pursuant to section 202(x)(3) or 1611(e)(1) of the Social Security Act (42 U.S.C. § 402(x)(3), § 1382(e)(1).

5 U.S.C. § 552a(a)(8).

²¹ 5 U.S.C. App.

⁽I) establishing or verifying the eligibility of, or continuing compliance with statutory and regulatory requirements by, applicants for, recipients or beneficiaries of, participants in, or providers of services with respect to, cash or in-kind assistance or payments under Federal benefit programs, or

²³ The term "multilateral" simply refers to an agreement with multiple parties; it does not refer to an agreement that involves databases outside the United States that are not under the control of a Federal (or non-Federal) agency.

agency to use the records in a matching program with a payment-issuing agency. For the purposes of a Do Not Pay matching program involving Treasury's Working System, an original source agency discloses records to Treasury in order to allow Treasury to engage in a Do Not Pay matching program with payment-issuing agencies. In a Do Not Pay matching program, original source agencies need not be a party to a computer matching agreement between Treasury and a payment-issuing agency.

- 1. Payment-issuing agency. The term "payment-issuing agency" means a Federal agency that has the authority to issue a payment or award and engages in a matching program for the purposes of determining or verifying eligibility for the payment or award under a Federal benefit program or of recouping the payment under a Federal benefit program. Generally, the payment-issuing agency will be the agency that benefits from the matching program. The payment-issuing agency is responsible for conducting the cost-benefit analysis and meeting the reporting and publication requirements in the matching provisions of the Privacy Act. If more than one payment-issuing agency is a party to a matching program, the payment-issuing agencies may assign these responsibilities as described in section 12(c) of this Memorandum.²⁴
- m. *Treasury's Working System*. The term "Treasury's Working System" means the Do Not Pay Initiative functions performed by the Department of the Treasury that are authorized by section 5 of IPERIA. Treasury's Working System includes Treasury's system of records for Do Not Pay, as well as other activities such as investigation activities for fraud and systemic improper payments detection through analytic technologies and other techniques.

4. Roles and Responsibilities

- a. *Office of Management and Budget*. OMB is responsible for:
 - 1. Implementing the DNP Initiative and providing guidance, oversight, and continued assistance to agencies.
 - 2. Establishing a working system for pre-payment and pre-award review as part of the DNP Initiative.
 - 3. Submitting annual reports to Congress regarding the operation of the DNP Initiative.
- b. Department of the Treasury. Treasury is responsible for:
 - 1. Hosting a working system (Treasury's Working System) for the DNP Initiative that includes a system of records for DNP that allows agencies to perform prepayment eligibility reviews, as required in IPERIA.
 - 2. Developing memoranda of understanding (MOUs) with original source agencies, as described in this Memorandum, and periodically reviewing the MOUs to determine whether the terms are sufficient.

²⁴ For guidance on the publication and reporting requirements of the Privacy Act, see OMB Circular A-130, Appendix I.

- 3. Entering into CMAs with payment-issuing agencies, as described in this Memorandum.
- 4. Periodically reassessing whether all of the data in Treasury's Working System are relevant and necessary to meet the objectives in section 5 of IPERIA and deleting or expunging any data that are not.
- 5. Taking reasonable steps to ensure that records in Treasury's Working System are sufficiently accurate, complete, and up-to-date as is reasonably necessary to ensure fairness to the individual record subjects.
- 6. Coordinating with original source agencies to develop a process that allows individuals to request the correction of data.
- 7. Preparing and submitting to OMB a written assessment to document the suitability of any commercial databases that could be designated for use in Treasury's Working System.
- 8. Maintaining the central DNP Initiative website that includes all relevant information, including all relevant CMAs, system of records notices, and privacy impact assessments.
- 9. Complying with all applicable requirements in the Privacy Act and other applicable laws, regulations and policies, as well as with the terms of all relevant CMAs and MOUs.
- 10. Submitting periodic reports to OMB.

c. Original source agencies. Original source agencies are responsible for:

- 1. Ensuring that they have sufficient legal authority and a specific designation from OMB (except as provided by law) before disclosing records to Treasury for Treasury's Working System.
- 2. Entering into a written MOU with Treasury that describes how Treasury may use the records in question and provides rules for protecting and correcting the information and for the retention and destruction of records.
- 3. Confirming that Treasury has the appropriate level of security controls before sharing any records with Treasury.
- 4. Coordinating with Treasury to develop a process that allows individuals to request the correction of data, and promptly reviewing any request for correction.
- 5. Complying with all applicable requirements in the Privacy Act and other applicable laws, regulations, and policies, as well as with the terms of all relevant MOUs.

d. Payment-issuing agencies. Payment-issuing agencies are responsible for:

- 1. Ensuring that they have sufficient legal authority to engage in a matching program for purposes of the DNP Initiative.
- 2. Entering into CMAs with Treasury, as described in this Memorandum.
- 3. Conducting the cost-benefit analysis and meeting the reporting and publication requirements in the matching provisions of the Privacy Act.
- 4. Ensuring that they only match against data sources that are relevant and necessary for the specific matching purpose.

- 5. Making determinations about the disbursement of payments or awards, consistent with legal authority.
- 6. Complying with all applicable requirements in the Privacy Act and other applicable laws, regulations, and policies, as well as with the terms of all relevant CMAs.
- e. *Senior agency officials for privacy*. All agencies' senior agency officials for privacy are responsible for:
 - 1. Developing a training program for the agency's DIB to ensure that all members of the DIB are properly trained and prepared to fulfill their duties with respect to all matching activities at the agency.
 - 2. Periodically reviewing the effectiveness and responsiveness of the agency's DIB to determine whether the DIB needs additional support or instruction.

5. <u>Including Databases in Do Not Pay</u>

- a. *Enumerated databases*. Section 5(a)(2) of IPERIA lists five databases that shall be included in the DNP Initiative without the need for OMB designation the Social Security Administration's Death Master File, the General Services Administration's System for Award Management (formerly known as the Excluded Parties List System), Treasury's Debt Check Database, the Department of Housing and Urban Development's Credit Alert System or Credit Alert Interactive Voice Response System, and the Department of Health and Human Services Office of the Inspector General's List of Excluded Individuals/Entities.
- b. *OMB designation of additional databases*. Section 5(b)(1)(B) of IPERIA provides that OMB may designate additional databases for inclusion in the DNP Initiative, in consultation with the appropriate agencies. Treasury may only use or access additional databases for Treasury's Working System once OMB has officially designated such databases for inclusion, except as provided by law. Before designating additional databases, OMB will publish a 30-day notice of the designation proposal in the Federal Register asking for public comment. At the conclusion of the 30-day comment period, if OMB decides to finalize the designation, OMB will publish a notice in the Federal Register to officially designate the database for inclusion in the DNP Initiative.

When considering additional databases for designation, OMB will consider:

- 1. Statutory or other limitations on the use and sharing of specific data;
- 2. Privacy restrictions and risks associated with specific data;
- 3. Likelihood that the data will strengthen program integrity across programs and agencies;
- 4. Benefits of streamlining access to the data through the central DNP Initiative;
- Costs associated with expanding or centralizing access, including modifications needed to system interfaces or other capabilities in order to make data accessible; and
- 6. Other policy and stakeholder considerations, as appropriate.

- c. *Data minimization*. OMB will only consider the inclusion of data in the DNP Initiative if the data are relevant and necessary to meet the objectives of section 5 of IPERIA. In the case of Treasury's Working System, Treasury shall periodically reassess whether all data in Treasury's Working System meet this standard and delete or expunge any data that do not.
- d. *Disclosure from an original source agency to Treasury*. An OMB designation is not sufficient to allow agencies to provide records to Treasury for Treasury's Working System; agencies must also have legal authority to disclose records. This Memorandum alone does not provide agencies with such authority. Whenever OMB designates additional databases for inclusion in Treasury's Working System, the designation is subject to the original source agency's determination that it has the necessary legal authority to share the data with Treasury. In addition:
 - 1. Prior to sharing any records, original source agencies shall confirm that Treasury affords the appropriate level of security controls, comparable to those employed by the original source agency.
 - 2. Original source agencies shall develop a MOU with Treasury that describes all restrictions on the use of a particular dataset, and all security controls and other requirements. Treasury shall describe all of these restrictions, security controls, and requirements in the CMAs with payment-issuing agencies, as applicable.

6. Use, Maintenance, Duplication, and Redisclosure of Records

- a. Limits on Treasury's use, maintenance, duplication, and redisclosure of records. Any records provided from an original source agency to Treasury for purposes of Treasury's Working System shall not be used, maintained, duplicated, or redisclosed for any purpose other than those described in section 5 of IPERIA or this Memorandum, except where required by law. All uses of the records shall be clearly described in the MOU between Treasury and the original source agency, as well as in Treasury's system of records notice for DNP. At a minimum, original source agencies shall specify in the MOU that all limitations on the use, maintenance, duplication, or disclosure of the records at the original source agency also apply to Treasury. In addition, Treasury shall ensure that all routine uses listed in the DNP system of records notice are appropriate and properly tailored for every dataset to which they apply in Treasury's Working System.
- b. *Matching with a payment-issuing agency*. In a DNP matching program, Treasury shall allow payment-issuing agencies to match against only those datasets in Treasury's Working System that are relevant and necessary for the specific matching purpose (e.g.,

²⁵ Pursuant to the Privacy Act at 5 U.S.C. § 552a(o)(1)(H), a recipient agency may also duplicate or redisclose records provided by a source agency where "essential to the conduct of the matching program." As explained in OMB guidance, "The essential standard is a strict test that is more restrictive than the 'compatibility' standard the Privacy Act establishes for disclosures made pursuant to section (b)(3): 'for a routine use.' Thus, under the essential standard, the results of the match may be disclosed for follow-up and verification or for civil or criminal law enforcement investigation or prosecution if the match uncovers activity that warrants such a result." *See* Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 Fed. Reg. 25818, 25826 (June 19, 1989).

payment-issuing agencies shall not be allowed to match against income data if income is not relevant to the payment or award in question). The specific terms of the DNP matching program shall be described in the CMA and reviewed by each payment-issuing agency's DIB. All parties to the CMA shall be responsible for fully adhering to these terms.

c. *Disclosure from Treasury to payment-issuing agency*. In accordance with IPERIA, Treasury may disclose information (*i.e.*, the results of the match) to the payment-issuing agencies.

7. Retention and Destructions of Records

- a. *General guidelines on retention and destruction of records*. Agencies shall follow all applicable record retention requirements, including those from the National Archives and Records Administration (NARA).
- b. *Specific requirements on retention and destruction of records*. The MOU between Treasury and an original source agency shall specify that Treasury will abide by the same rules for the retention and destruction of records that apply to the original source agency. The rules shall not change simply because records are provided to Treasury. As required in the Privacy Act, the relevant agencies' DIBs shall annually review agency recordkeeping and disposal policies and practices for compliance with the Privacy Act.

8. Correction of Data

- a. Accuracy of records in Treasury's Working System. Because the records in Treasury's Working System will be used to help agencies make determinations about individuals, Treasury shall take reasonable steps to ensure that records in Treasury's Working System are sufficiently accurate, complete, and up-to-date as is reasonably necessary to ensure fairness to the individual record subjects. Treasury's MOUs with original source agencies shall describe the means by which the original source agencies will ensure that the records provided to Treasury meet these standards. Treasury's senior agency official for privacy shall periodically review the MOUs to determine whether the terms are sufficient.
- b. *Correction of data*. Section 5(e)(4) of IPERIA requires OMB to establish procedures providing for the correction of data in order to ensure compliance with the Privacy Act. Treasury shall coordinate with original source agencies to develop a process that allows individuals to request the correction of data. The process shall meet the following general requirements:
 - 1. If a request for correction is made directly to Treasury, Treasury shall promptly inform the original source agency (or agencies) of the request. The original source agency shall promptly review the request and determine whether corrections should be made to the data in question. Original source agencies shall follow their existing process for handling such requests. Some original source agencies have laws, regulations, or policies that govern how individuals may request corrections to records in a system of records. Thus, original source

- agencies may not be able to make corrections to records solely based on information provided by Treasury. However, original source agencies shall review all information provided by Treasury and, if appropriate, contact the individual making the request.
- 2. If a request for correction is made to an original source agency, the original source agency shall determine whether corrections should be made to the data and promptly inform Treasury of the determination if the data are included in Treasury's Working System. Whenever an original source agency determines that corrections are needed to data, the data shall be corrected at both the original source agency and in Treasury's Working System. Treasury and the original source agency shall take reasonable steps to avoid discrepancies between two versions of the same dataset. The data correction processes shall be described on Treasury's DNP website, in Treasury's DNP system of records notice, and in all relevant MOUs and CMAs.
- c. *Reporting to OMB*. Treasury shall annually report to OMB the total number of requests made to Treasury for the correction of data in Treasury's Working System. In addition, Treasury shall report to OMB the number of such requests that actually led to corrections of records. OMB will include this information in its annual report to Congress.

9. Procedural Safeguards

- a. *General procedural safeguards*. The Privacy Act, at 5 U.S.C. § 552a(p), establishes certain procedural safeguards that individuals whose records are used in a matching program shall be afforded when matches uncover adverse information about them. As provided in section 5(e)(6) of IPERIA, nothing in IPERIA shall be construed to affect the rights of an individual under the Privacy Act at 5 U.S.C. § 552a(p).
- b. *Verification of adverse information*. Before adverse action is taken against an individual, any adverse information that agencies discover shall be subjected to investigation and verification, unless an agency's DIB waives this requirement pursuant to the Privacy Act at 5 U.S.C. § 552a(p)(1)(A)(ii). Verification requires a confirmation of the specific information that would be used as the basis for an adverse action against an individual. As explained in OMB guidance, "Absolute confirmation is not required; a reasonable verification process that yields confirmatory data will provide the agency with a reasonable basis for taking action." In each case, agencies shall document the specific information on which any determination about an individual is based. For additional guidance on verification of adverse information, agencies shall consult OMB's existing guidance.
- c. *Notice and opportunity to contest*. Once agencies have verified the adverse information, they shall provide the individual with notice and an opportunity to contest before taking adverse action. The notice shall inform the individual of the relevant information and give him or her an opportunity to provide an explanation. Individuals shall have 30 days

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²⁶ See Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 Fed. Reg. 25818, 25827 (June 19, 1989).

to respond to a notice of adverse action, unless a statute or regulation provides a different period of time. For additional guidance on notice and opportunity to contest, agencies shall consult OMB's existing guidance.²⁸

d. Stopping a payment or award. Except as provided by law, only the agency with authority to issue a payment or award may decide to stop the payment or award. Treasury disburses payments only as directed by payment-issuing agencies; IPERIA does not provide Treasury with authority to issue a payment or award. However, the Treasury disbursing official, consistent with his or her responsibility to ensure that payments are issued accurately and correctly, may act on behalf of the certifying agency to stop a payment (i.e., not disburse the payment) only as directed by the certifying agency, in accordance with criteria and instructions specified by the certifying agency. As provided in section 5(b)(4) of IPERIA, there may be circumstances in which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the DNP Initiative.

10. Cost Reimbursement

- a. *Need for cost reimbursement*. When Federal agencies share data, cost reimbursement may be necessary in order to appropriately support additional work that one agency requests from another.
- b. *General requirements for cost reimbursement*. In general, cost reimbursement for the DNP Initiative shall reflect the true costs incurred by an agency in order to provide data, recognizing that agencies may sometimes offset costs through reciprocal exchanges of data. Rather than paying for the same data multiple times, cost reimbursement is a mechanism to capture the actual total cost of providing access to the data.
- c. Specific considerations for cost reimbursement. Appropriate cost reimbursement may vary for different data sources based on factors including, but not limited to, statutory obligations and restrictions associated with accessing a specific data source. In accessing and paying for data, agencies shall ensure proper coordination across programs and components.

11. Commercial Databases

a. Use of or access to commercial databases. Section 5(d)(2)(C) of IPERIA provides that the DNP Initiative may include the use of or access to commercial databases to investigate activities for fraud and systematic improper payments detection. Some commercial databases may help the Federal Government meet the objectives of the DNP Initiative. At the same time, commercial databases may also present new or increased privacy risks, such as databases with inaccurate or out-of-date information. The requirements in this section of the Memorandum shall apply to all information in commercial databases that are not part of a system of records under the Privacy Act.

²⁸ Id.

- b. General standards for the use of or access to commercial databases. Treasury may use or access a commercial database for Treasury's Working System only if OMB has officially, previously designated such database for inclusion following a period of public notice and comment, as described in section 5(b) of this Memorandum. Because commercial databases used or accessed for purposes of the DNP Initiative will be used to help agencies make determinations about individuals, it is important that agencies apply safeguards that are similarly rigorous to those that apply to systems of records under the Privacy Act. Thus, commercial data may only be used or accessed for the DNP Initiative when the commercial data in question would meet the following general standards:
 - 1. Information in commercial databases must be relevant and necessary to meet the objectives described in section 5 of IPERIA.
 - 2. Information in commercial databases must be sufficiently accurate, up-to-date, relevant, and complete to ensure fairness to the individual record subjects.
 - 3. Information in commercial databases must not contain information that describes how any individual exercises rights guaranteed by the First Amendment, unless use of the data is expressly authorized by statute.
- c. Specific requirements for Treasury's use of or access to commercial databases. In addition to the general standards provided above, Treasury shall meet the following specific requirements whenever agencies use or access a commercial database as part of Treasury's Working System:
 - 1. Treasury shall establish rules of conduct for persons involved in the use of or access to commercial databases and instruct each person with respect to such rules, including penalties for noncompliance, as appropriate.
 - 2. Treasury shall establish appropriate administrative, technical, and physical safeguards to ensure the security and confidentiality of information in commercial databases when such information is under Treasury's control.
- d. Written assessment of the suitability of a commercial database. Before OMB considers designating a commercial database for use or access in Treasury's Working System, Treasury shall prepare and submit to OMB a written assessment to document the suitability of the commercial database for use in Treasury's Working System. The assessment shall explain the need to use or access the data, explain how the data will be used or accessed, provide a description of the data (including each data element that will be used or accessed), and explain how the database meets all applicable requirements in this Memorandum. OMB will provide the written assessment to the public as part of the notice of the designation proposal described in section 5(b) of this Memorandum.
- e. *Pilot programs*. Treasury may use or access commercial databases as part of a pilot program without satisfying the requirements in this section of the Memorandum. A pilot program involves the small scale use of or access to commercial data in order to gather information on which to base a decision about seeking broader use or access. A pilot program shall terminate after a maximum of 6 months. No agency may stop any payments or awards or take any other adverse action against an individual as a result of a

pilot program.

f. Compliance with law. Agencies are reminded that information in commercial databases used in the DNP Initiative may constitute a system of records or become part of a system of records; such information would be subject to all applicable requirements in the Privacy Act. As with all aspects of this guidance, in addition to the Privacy Act, agencies shall comply with all applicable requirements in the Paperwork Reduction Act,²⁹ the Federal Records Act,³⁰ the Information Quality Act,³¹ and other applicable laws, regulations, and policies.

12. Computer Matching Agreements for Do Not Pay

- a. *Multilateral CMAs*. Section 5(e)(2)(D) of IPERIA authorizes CMAs "governing multiple agencies" for purposes of the DNP Initiative.³² Agencies' default for a matching program shall always be traditional CMAs between one source agency and one recipient agency. However, in certain circumstances there may be advantages to using a multilateral CMA.
- b. Considerations for the use of multilateral CMAs. Agencies may consider using multilateral CMAs if both the matching purpose and the specific data elements that will be matched are sufficiently similar across each of the agencies to allow all parties to satisfy the requirements in a single CMA that is clear to all relevant agencies and to the public. In making this determination, agencies shall consider whether using a multilateral CMA would lead to unnecessary complexities or inefficiencies that may offset the benefits. For example, it is possible that a multilateral CMA would make it more cumbersome for the agencies to alter or amend the CMA.
- c. Reporting and publication requirements. Whenever agencies enter into a multilateral CMA, each of the payment-issuing agencies is responsible for meeting the reporting and publication requirements associated with the matching program.³³ However, the payment-issuing agencies may designate a single agency to report the CMA to OMB and Congress and publish the notice in the Federal Register on behalf of the other agencies, if such designation is clear in the report and notice. Each agency's DIB shall review the designation and determine that the arrangement is sufficient to meet the requirements in the Privacy Act and provide adequate notice to the public.
- d. *Termination date of CMAs*. Section 5(e)(2)(C) of IPERIA provides that a CMA for a DNP matching program shall have a termination date of "less than 3 years." Furthermore, during the 3-month period leading up to the scheduled termination of a CMA, agencies may renew the CMA for a maximum of 3 years. These new termination

³⁰ 44 U.S.C. Chapters 21, 22, 29, 31, and 33.

²⁹ 44 U.S.C. § 3501 et seg.

³¹ Consolidated Appropriations Act of 2001, Pub. L. No. 106-554, § 515, 114 Stat. 2763, 2763A154 (2000) (codified at 44 U.S.C. § 3516 note).

As a matter of policy, agencies may use multilateral CMAs for non-DNP matching programs, as appropriate.
 For guidance on the publication and reporting requirements of the Privacy Act, see OMB Circular A-130, Appendix I.

periods apply only to DNP matching programs; CMAs outside of the DNP Initiative remain subject to the original termination periods in the Privacy Act.³⁴ Before a matching program may be renewed, each party shall certify that the matching program has been conducted in compliance with the CMA, and the participating agencies' DIBs shall review the request for renewal and make a determination that the matching program will be conducted without change.³⁵

e. Additional guidance on CMAs. If agencies currently have CMAs with Treasury (or any other agency) that involve records that will be provided for Treasury's Working System, the agencies may be required to develop new CMAs in order to accommodate the DNP framework. Like system of records notices, CMAs shall be published and reported to OMB and Congress at the departmental or agency level, even if the records involved are maintained at a component level. For example, the Department of Health and Human Services would publish and report a CMA to OMB and Congress on behalf of the Centers for Medicare and Medicaid Services (CMS), even if the match involves only CMS records.

13. General Guidance on Review by Data Integrity Boards

- a. *General guidance for DIBs*. Agencies' DIBs are responsible for approving or disapproving proposed matching programs based on an assessment of the adequacy of the CMA and other relevant information. When DIBs review a proposed matching program, they shall assess the CMA to ensure that it fully complies with the Privacy Act, as well as any other applicable laws, regulations, and policies. When making a determination, DIBs shall document in writing their reasons for approving or disapproving a matching program. This documentation shall be provided to the appropriate agency officials.
- b. *Training for DIBs*. The senior agency official for privacy shall ensure that all members of the DIB are properly trained and prepared to fulfill their duties with respect to all matching activities at the agency. The senior agency official for privacy shall develop a training program that members of the DIB shall be required to complete, as appropriate. In particular, all DIB members shall receive training regarding the requirements in the Privacy Act, other relevant laws, and guidance from OMB, NARA, and the Department of Commerce's National Institute of Standards and Technology.
- c. *Effectiveness and responsiveness of DIBs*. Agencies' DIBs shall meet with sufficient frequency to ensure that matching programs are carried out efficiently, expeditiously, and in compliance with the law. At a minimum, DIBs shall meet annually to evaluate ongoing matching programs and consider whether any modifications are warranted. In addition, agencies shall ensure that DIBs review matching proposals expeditiously so as not to cause delays to necessary programs. The senior agency official for privacy shall

35 See 5 U.S.C. § 552a(o)(2)(D).

³⁴ Pursuant to 5 U.S.C. § 552a(o)(2)(C)-(D), a CMA outside of the DNP Initiative may only remain in effect for a maximum of 18 months, with an optional renewal period of one year. All termination dates and renewals are subject to approval by agencies' DIBs.

periodically review the effectiveness and responsiveness of the agency's DIB to determine whether the DIB needs additional support or instruction.

d. 60-day deadline for review of a CMA. Section 5(e)(2)(B) of IPERIA requires DIBs to respond to a proposed CMA for the DNP Initiative no later than 60 calendar days after the proposal has been presented to the DIB. This 60-day deadline shall apply to new CMAs, as well as requests for the renewal of an established CMA. The 60-day clock shall begin as soon as the agency provides the DIB with the materials required for the DIB's review. Although the 60-day deadline in the law applies only to DNP matching programs, agencies are encouraged to adopt this timeframe as a general practice for all matching programs, as appropriate.

In most cases, the DIB's response to the proposal shall be a definitive approval or disapproval of the matching program. If DIBs have questions about the proposal, those questions shall be submitted to agency officials by day 30 of the 60-day period, if possible. Agency officials shall answer any questions from DIBs in a timely manner. If circumstances do not permit the DIB to approve or disapprove the DNP matching program within 60 days, the DIB shall provide a brief memorandum to the head of the agency (or to the Inspector General in cases where the Inspector General proposed the matching program) describing the necessity for the delay.

e. *Reporting to OMB*. Agencies shall annually report to OMB the specific number of days that it takes the DIB to approve or disapprove each proposed DNP matching program.

14. Cost-Benefit Analysis

- a. **Specific estimate of savings not required.** The Privacy Act at 5 U.S.C. § 552a(u)(4) requires agencies to perform a cost-benefit analysis for a proposed matching program. This cost-benefit analysis normally includes a specific estimate of any savings, which is included as part of the justification for the matching program in the CMA. However, section 5(e)(2)(E) of IPERIA provides that agencies' cost-benefit analyses for a DNP matching program need not contain a specific estimate of any savings.
- b. Cost-benefit analysis still required. Although agencies need not provide a specific estimate of savings, they shall perform a qualitative analysis of the potential costs and benefits of any proposed DNP matching program, unless the cost-benefit analysis is not required pursuant to the Privacy Act at 5 U.S.C. § 552a(u)(4)(B)-(C). This qualitative analysis of potential costs and benefits shall allow the agency to explain in the CMA why there is good reason to believe that the DNP matching program would provide cost savings (or why the matching activity would be justified on other grounds).
- c. *DIBs shall review all relevant data*. When an agency proposes to renew a DNP matching program (or proposes a new DNP matching program that is similar to a previously approved matching program), the agency's DIB shall review all relevant data that was reported to OMB or Congress, including specific data about costs and benefits.

15. Public Availability of Computer Matching Agreements

- a. *Publication of CMAs on a public website*. Section 5(e)(3)(C) of IPERIA requires OMB to establish rules regarding what constitutes making a DNP Initiative CMA available upon request to the public, pursuant to the Privacy Act at 5 U.S.C. § 552a(o)(2)(A)(ii). The statute provides that these rules shall include requiring publication of the CMA on a public website. As a responsibility of hosting Treasury's Working System, Treasury shall maintain the central DNP Initiative website that includes all of the relevant information about Treasury's Working System. In particular, Treasury shall post (or provide direct links to) all of the CMAs, system of records notices, and privacy impact assessments that pertain to Treasury's Working System. Providing such documents on Treasury's DNP Initiative website will promote transparency and provide examples that other agencies may use to help develop future CMAs and other materials related to Treasury's Working System.
- b. Removing or redacting sensitive information in CMAs. Whenever agencies make CMAs or other materials available to the public, they shall remove or redact any unnecessary personally identifiable information, as appropriate. In addition, agencies shall consider removing or redacting any information that could present security risks, such as specific information about security controls for a system (e.g., password length or complexity).

16. Matching by Inspectors General

- a. General guidelines for CMAs and Inspectors General. Section 5(e)(2)(A) of IPERIA provides that each Inspector General and the head of each agency may enter into CMAs with other Inspectors General and agency heads that allow ongoing data matching (which shall include automated data matching) to assist in the detection and prevention of improper payments. Inspectors General may use the authority provided in IPERIA to enter into CMAs only if the purpose of the match is to detect and prevent improper payments. Although Inspectors General may enter into CMAs, all CMAs shall be published and reported to OMB and Congress at the departmental or agency level. ³⁶
- b. Specific requirements for CMAs and Inspectors General. CMAs that involve one or more Inspector General are subject to all applicable requirements that pertain to CMAs for the DNP Initiative, including, but not limited to, DIB review, termination dates, correction of data, procedural safeguards, and reporting and notice requirements. If an Inspector General's proposed CMA is disapproved by the agency's DIB, the Inspector General may appeal the disapproval to OMB, pursuant to the Privacy Act at 5 U.S.C. § 552a(u)(5).

17. Matches Involving a Subset of Records from a System of Records

The matching requirements of the Privacy Act shall apply to all matching activities that involve a subset of records from a system of records when the subset of records itself would

³⁶ For guidance on the publication and reporting requirements of the Privacy Act, see OMB Circular A-130, Appendix I.

meet the definition of "system of records" in the Privacy Act (i.e., it is a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual), so long as the other qualifications in the statute are met.

18. For Further Information

If agencies have specific questions regarding this Memorandum, they may contact OMB at privacy-oira@omb.eop.gov. If agencies have general questions regarding Treasury's Working System, they may visit http://donotpay.treas.gov or contact Treasury at donotpay@bpd.treas.gov.



Do Not Pay Portal <u>User Guide</u>

Release 3.1 v.1 – Last Updated: October 2014

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INTRODUCTION

Who Should Use This Manual

This manual is intended for users of the Do Not Pay Portal. The intention of this manual is to describe the application in its entirety.

Do Not Pay Technical Requirements

This section details the system and configuration requirements necessary to utilize Do Not Pay.

Operating System

The following operating systems are supported by Do Not Pay:

✓ Windows 7

System Requirements

The following requirements are necessary to operate Do Not Pay:

- ✓ **Web Browser:** Internet Explorer 8 and 9, Chrome and Firefox
- ✓ Adobe Reader X
- ✓ Microsoft Excel 2003-2010
- ✓ Entrust Root Certificate: The Entrust (2048) Root Certificate must be installed in the "Trusted Root Certification Authorities" certificate store on the "local machine" (all user profiles) for the workstation. This certificate is normally installed by default with Internet Explorer. If it has been removed, you will need to have your agency reinstall the certificate.
- **✓** Internet Options Security Settings
- ✓ Ports

Windows Resolution: 1280 x 1024 or higher

PKI Certificate Requirements

Login requires PKI or PIV credentials. Users must install ITRA software that will facilitate the use of their PKI Credential

- ✓ Pentium II 500MHZ or Higher
- ✓ 256 MB RAM
- ✓ 100 MB Free Hard Disk space
- ✓ One Free USB Port
- ✓ 2X CD ROM Drive
- ✓ Ability to download FMS PKI Installation software from FMS public website (https://itra.fms.treas.gov/fms_pki_installers.html). Full install download is approximately 70 MB
 - The PKI installation software contains:
 - o Smart card middleware
 - o Java JRE (Java runtime environment) version 1.6.0_27 through 1.6.0_31
 - o JCE (Java cryptographic extensions) and certificate trust lists to be installed on agency workstation.

Hardware Requirements

- ✓ If your agency currently uses SafeNet to use and maintain a USB token you will not need to download the SafeNet software required to use your PKI token.
- ✓ The iKey 2032 USB token has the following characteristics:
 - The iKey 2032 is a FIPS 140-2 Level 2 rated cryptographic module.
 - The iKey 2032's NIST crypto module certification number is #161, last certified on 01/11/2007.
 - The iKey 2032 is not recognized as a USB storage module. It does not appear as a drive in Windows explorer. This means that the iKey is not prevented from being used if your agency defines its Windows Group Policy to write protect or disable USB ports.

Software Requirements

Software is provided on a CD labeled **FMS PKI Setup.** The FMS PKI Setup CD should be provided to all end users during the FMS PKI enrollment process. This setup will install and configure all needed components on the desktop to ensure successful operation of all FMS PKI applications. After successful installation of the FMS PKI Setup, agency end users will have the ability to access the following:

- ITRA-Credential creation and maintenance application
- Any FMS PKI enabled application your agency user is authorized to use.

Getting Help

While using the Do Not Pay Portal, you can obtain help via the Do Not Pay Support Center at 1-855-837-4391 or by email at donotpay@stls.frb.org.

✓ While logged into the Portal, you can gain access to a quick summary of how to perform actions on each page by clicking the ② icon in the upper right hand corner of the screen.

^{*}Please contact your local support for any agency specific requirement (firewall, network configuration, etc.).

PREFACE

Welcome to the Do Not Pay Portal.

About Do Not Pay

The Do Not Pay Business Center provides automated tools, including a web-based single entry access Portal, which federal agencies can use to gain access to an array of data sources to assist in determining whether an individual or company is eligible to receive federal payments or engage in federal contracts.

Background

Do Not Pay is a Treasury program designed to give critical information to paying agencies to help reduce improper payments. This program was initiated as part of the Presidential Memorandum, dated June 18, 2010, directing agencies to review current pre-payment and pre-award procedures and ensure that a thorough review of available data sources with relevant information on eligibility occurs before Federal funds are disbursed. To assist agencies in achieving this goal, the Do Not Pay Business Center provides two services to agencies: the Do Not Pay Portal and the Do Not Pay Data Analytics Service. Each agency can choose to use any combination of these Do Not Pay services in order to best meet their needs.

Data Sources Currently Available

- ✓ Death Master File (DMF)
- ✓ System for Awards Management-Exclusion Records Public and Private
- ✓ List of Excluded Individuals/Entities (LEIE)
- ✓ Debt Check
- ✓ System for Awards Management-Entity Registration Records
- ✓ Office of Foreign Asset Control List (OFAC)

Note: Some DNP data source providers specifically ask users of that data source to verify match results with secondary data sources prior to taking any adverse action.

Best Practice: To ensure that match information received in DNP is accurate, each Agency is asked to verify their match results received from DNP against a secondary data source.

Four Functionality Options Offered

- ✓ Online Single Search: one entry at a time; simplest search to conduct
- ✓ Batch Matching: agency file sent electronically for a bulk search/match
- ✓ Continuous Monitoring: agency file is stored and matching is performed when data source(s) or agency file(s) are updated
- ✓ Payments: agency payment files sent to Treasury through the Payment Application Modernization (PAM) application are matched against the Death Master File and System of Awards Management (SAM) Exclusion Records Public or Private data sources.

Note: The addition of SAM Exclusion Records Private for PAM Payments matching in DNP software release 3.0 is an option to allow agencies with proper permissions to match against SAM Exclusion Records – Private instead of Public, which results in a higher match level.

GETTING STARTED

Do Not Pay Login Page

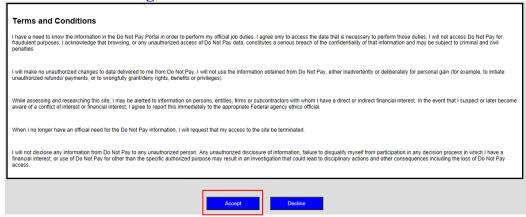


- ✓ Open your Internet Browser and type *http://www.donotpay.treas.gov* in the address bar. Click on the Agency Login Tab at the top right side of the page.
- ✓ Insert your PKI token/PIV card.
- ✓ Click on the PKI Log In link.
- ✓ Enter your password associated with your token/card.
- ✓ Click the "Log In" button to gain access to the Do Not Pay Portal.

The Do Not Pay Portal will use IBM Tivoli Identity Manager (ITIM) as the authentication mechanism. The ITIM application will be set up to use only PKI authentication to gain access to the Do Not Pay Portal. Once a user is established with ITIM, a PKI token will have to be applied for. Upon successful completion of application, a PKI token will be issued with a PIN. NOTE: Treasury users have the ability to use their PIV card.

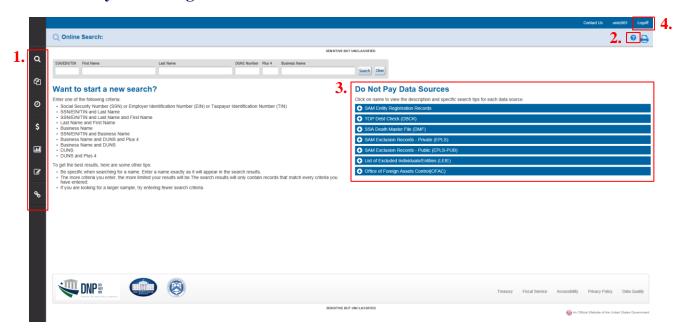
Do Not Pay-ITIM organizational roles will be assigned to designated users only by the Do Not Pay-ITIM Administrator known as the Do Not Pay-CSR. The Customer Service Representative (CSR) will be able to request the creation of Do Not Pay user accounts, along with being able to modify, suspend, restore, and delete Do Not Pay user's account.

Terms and Conditions Page

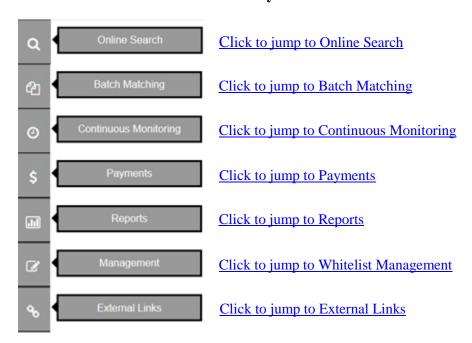


> Review the Terms and Conditions and click "Accept" to gain access to the application.

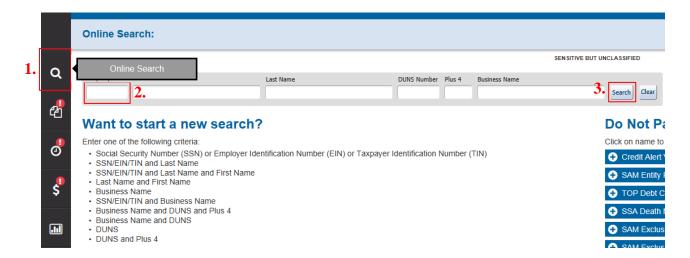
Do Not Pay Home Page



- 1. A navigation bar with links to specific functionality appears on the left hand side of the home page (see below for link titles).
- 2. Clicking the opens a new window with a brief description of the current page and step-by-step instructions on how to complete the tasks on that page.
- 3. The data sources that Do Not Pay offers for use will appear on the right side of the page. For a description of the data source, select the "+" to expand the title.
- 4. Click the "Logoff" button to sign out of the Do Not Pay Portal. **Note: Your Portal session will** time out after 30 minutes of inactivity.



ONLINE SINGLE SEARCH



- 1. To access the Online Single Search page, select the appropriate icon (magnifying glass) on the navigation panel Note: The Online Single Search page will be the default display upon accessing the Do Not Pay Portal.
- 2. Enter search criteria in the fields as needed (i.e. SSN/EIN/TIN, First Name, Last Name, DUNS Number etc.).
- 3. Click "Search" or hit enter.

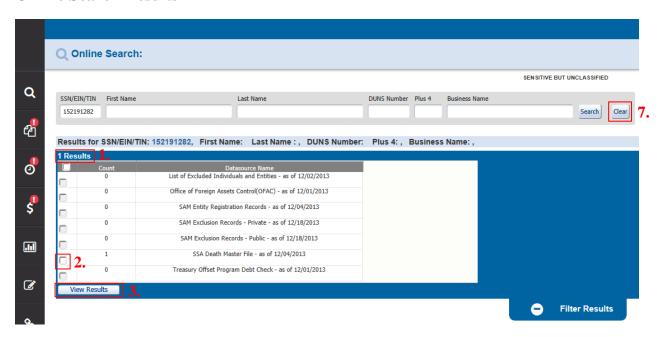
For Best Search Results Overall

- ➤ Best Search: TIN/DUNS by itself
 - ✓ Searching by TIN/DUNS will be the most accurate in finding all entities with that TIN/DUNS within the Portal data sources.
 - ✓ The results would return all names for that TIN/DUNS and your Agency User could determine if it was the same entity or not.
 - ✓ A small set of results will be returned that can be more easily reviewed.
 - ✓ Example: One hit for a TIN returned from the Death Master would be a flag that a TIN is possibly being used erroneously.
- > Second best search: Name by itself
 - ✓ Searching by Name will return many more rows than searching TIN/DUNS by itself.
 - ✓ Example: Many hits on the Death Master.
- ➤ Least Desirable Search: TIN/DUNS and name
 - ✓ This will likely return almost no rows and has a high chance of missing someone using a TIN erroneously.
 - ✓ Using these together, means that the TIN/DUNS and the name must match in order for results to be returned.

For Best NAME Search Results

- Leave out Name Prefixes or Suffixes (i.e., Mr., Mrs., Jr., III)
- ➤ Leave out any titles (i.e., CPA, PhD)
- ➤ Leave out middle initials and middle names (search on middle name/last name as a secondary search to be thorough)
- > For a hyphenated last name (e.g., Smith-Jones), search with Smith as last name, Jones as last name and Smith Jones as last name and compare the results

Online Search Results



- 1. Your results will be displayed below the main search bar. This will indicate how many matches you have received for your available data sources.
- 2. Place a check in the box next to the data sources you would like to display. **Note: Select the checkbox in the upper left hand corner of the page to automatically check all data sources at once.**
- 3. Click "View Results" and your results will appear below.



- 4. The data source name will be listed at the top of the match results screen. **Note: Select the "+/-"** next to the date source name to expand/collapse the results.
- 5. The corresponding matches will be listed below the data source name. To sort your results by TIN, Name, etc. in Ascending/Descending order, click the arrows next to the column titles that appear when you hover your mouse over them.
- 6. To change number of the records displayed per page, click the "Page Size" dropdown menu and select the appropriate number.
- 7. To clear search results, click the "Clear" button in the top right hand side of the screen.

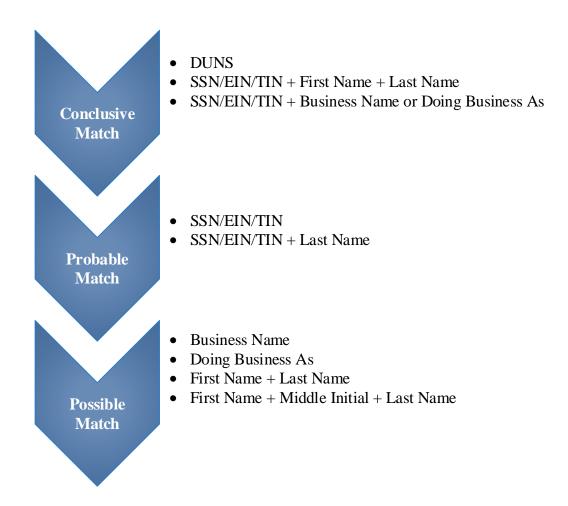
BATCH MATCHING

Overview of Batch Matching

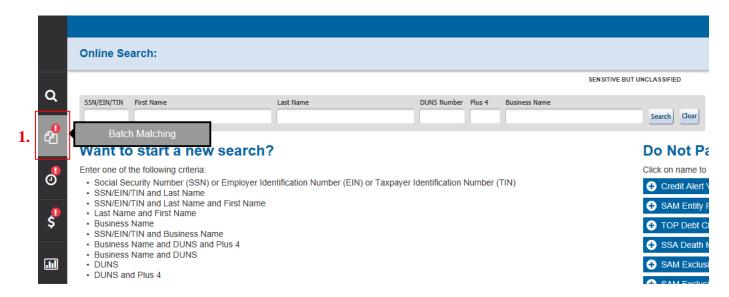
Batch Matching is a search that allows your agency to send a file to Do Not Pay to be compared to the data sources in the Do Not Pay Portal. The results would detail any matches against the data sources and will be accessed through the Do Not Pay Portal. If a match is identified, your agency will be notified via email and your agency will be able to view the details of the match via the Do Not Pay Portal.

The first step in the batch matching process is to send Do Not Pay a copy of your file through the secure landing zone. Do Not Pay will then match the file against eligible data sources and the results will appear under the corresponding tab.

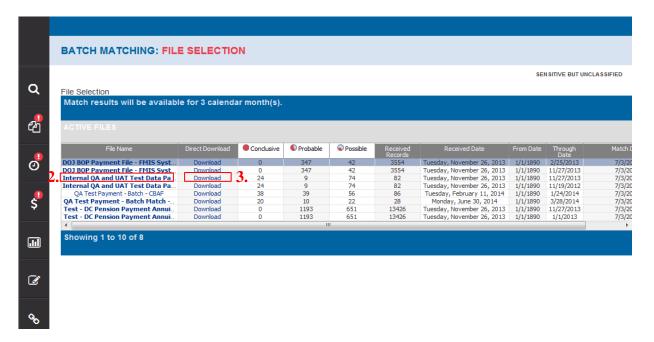
Matching Rules



Batch Matching Searches

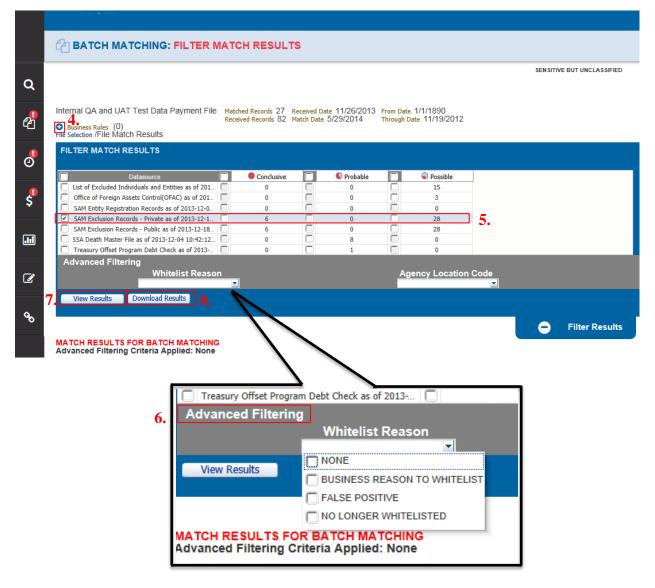


1. To access the Batch Matching page, select the appropriate icon (matched documents) on the navigation panel. Note: If the Portal function includes new match results that have not been viewed by the user, an icon in the form of a red circle with a white exclamation point will be displayed next to the Batch Matching icon.



- 2. The Batch Matching: File Selection page contains a listing of the current files your agency has submitted. To view matches, click on the file name that you would like to have displayed. **Note: If the name of the file is in bold font, it has not been viewed by that specific user yet.**
- 3. To export the match results in Excel, Fixed Width or Pipe Delimited format, click "Download" next to the file name.

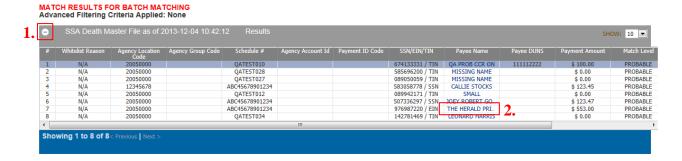
- o *Excel*: A text file format that contains records separated by columns and rows. It is the most basic format for viewing as it is easily sortable by users.
- o *Fixed Width*: A text file format that contains specific positions within a row of text, which determines a record in its entirety. This format typically includes a character count allotment, which defines where the beginning and end of the record occur.
- o *Pipe Delimited*: A text file format which separates each record by the Pipe Symbol "|" within the same column of the file.



- 4. Your results will be displayed on the next screen. To view any Business Rules applied to the file, select the "+" next to "Business Rules". The number in parentheses will indicate how many business rules are currently applied.
- 5. Place a check in the box next to the data sources you would like to display. You can also choose to display results by match level by selecting the checkboxes next to Conclusive, Probable or Possible.
 Note: To search across all data sources, select the checkbox in the upper left hand corner of the page to automatically checkmark all data sources at once.
- 6. A list of Advanced Filtering options will be displayed below the data sources and number of matches. You can filter your list further by selecting the appropriate selection from the following dropdowns:
 - a. Whitelist Reason
- c. Agency Group Code
- b. Agency Location Code
- d. Business Rules Applied
- 7. When all desired criteria has been selected, click "View Results".
- 8. To export the match results in Excel, Fixed Width or Pipe Delimited format, click "Download Results".

Match Results for Batch Matching

1. This page provides a summary of the matches based on the filters you selected. The results of your query will be displayed below and is grouped by data source. To view the matches of a specific data source, click the "+" next to the title to expand.



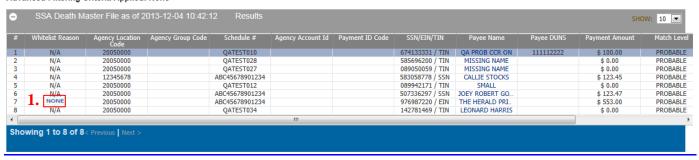
2. Selecting a hyperlinked "Payee Name" takes you to the Match Details screen where you can view the record's specific information.



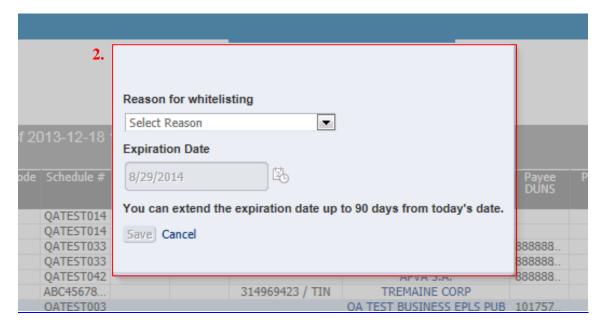
3. When finished reviewing the record's details, click the "OK" button in the right hand corner of the screen to return to the summary of matches.

Whitelisting Batch Matching Records

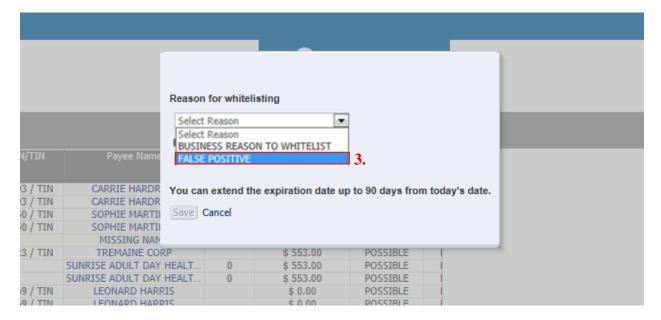
MATCH RESULTS FOR BATCH MATCHING Advanced Filtering Criteria Applied: None



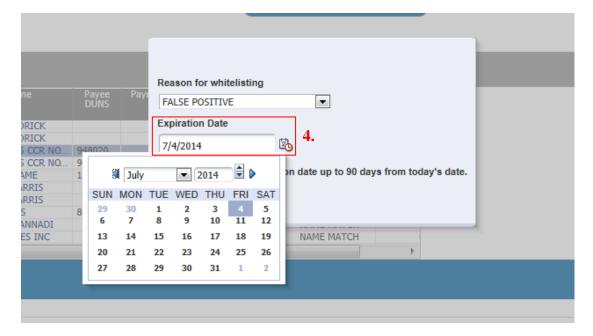
1. If a record is continually showing up in match results that you know represents a proper payment, you can choose to apply a whitelist reason. To indicate the Whitelist Reason, select the hyperlinked title next to the record you would like to whitelist. **Note: If the Whitelist Reason indicator is** "N/A", it is not eligible for whitelisting.



- 2. The "Whitelist Reason" popup box will appear with the following:
 - Reason for whitelisting
 - Expiration Date
 - Save/Cancel buttons



- 3. From the "Reason for whitelisting" dropdown, select one of the following options:
 - Business Reason to Whitelist
 - o False Positive
 - No Longer Whitelisted



- 4. You can adjust the "Expiration Date" to determine the duration of the whitelist by manually typing the date in the form or by selecting the calendar icon to open a viewable calendar. **Note: You will only be able to extend the whitelist date 90 days from the current date.**
- 5. Click **Save** when complete.

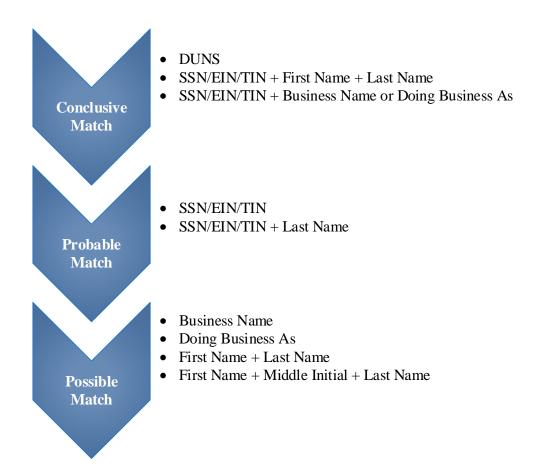
CONTINUOUS MONITORING

Overview of Continuous Monitoring

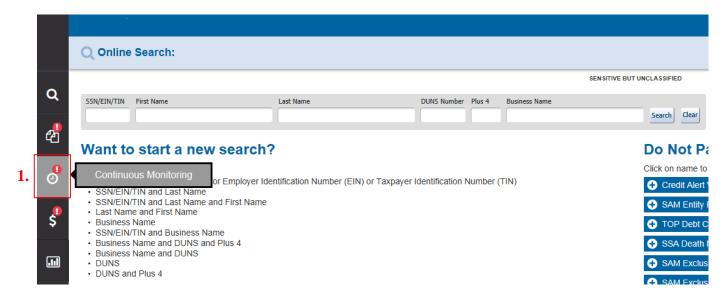
Continuous Monitoring is a search that is accomplished by taking in an agency's file, storing it within the Do Not Pay infrastructure and comparing it against the data sources. Do Not Pay's data sources are refreshed on a regular basis and will continuously match the file to the data sources when there is an update to either the agency file or data source. If a match is identified, your agency will be notified via email, and your agency will be able to view the details of the match via the Do Not Pay Portal.

The first step in the continuous monitoring process is to send Do Not Pay a copy of your file through the secure landing zone. Do Not Pay will then match the file against eligible data sources and the results will appear under the corresponding tab.

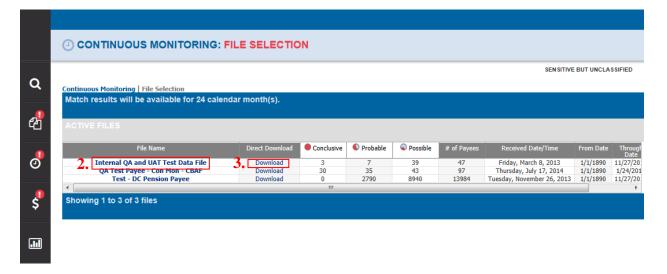
Matching Rules



Continuous Monitoring Searches

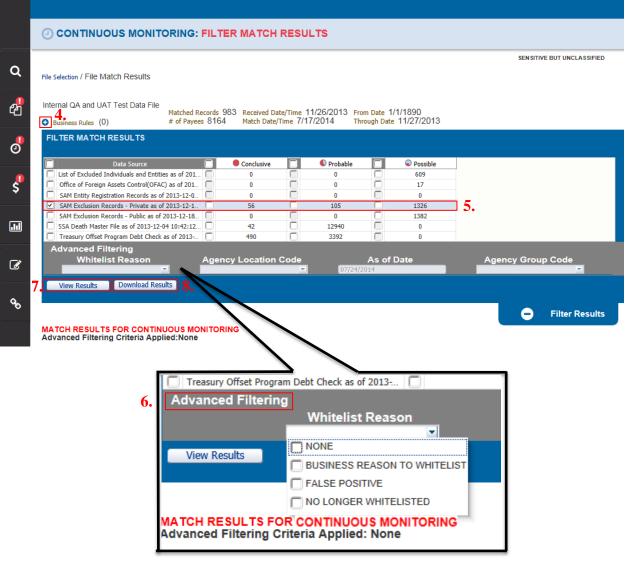


1. To access the Continuous Monitoring page, select the appropriate icon (clock) on the navigation panel. Note: If the Portal function includes new match results that have not been viewed by the user, an icon in the form of a red circle with a white exclamation point will be displayed next to the Continuous Monitoring icon.



- 2. The Continuous Monitoring: File Selection page contains a listing of the current files your agency has submitted. To view matches, click on the file name that you would like to have displayed. Note: If the name of the file is in bold font, it has not been viewed by that specific user yet.
- 3. To export the match results in Excel, Fixed Width or Pipe Delimited format, click "Download" next to the file name.
 - o *Excel*: A text file format that contains records separated by columns and rows. It is the most basic format for viewing as it is easily sortable by users.

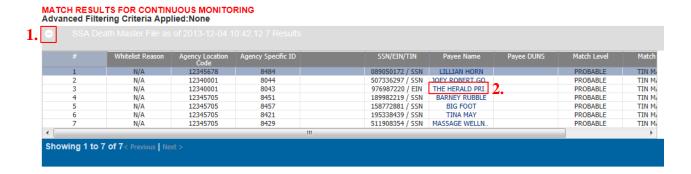
- o *Fixed Width*: A text file format that contains specific positions within a row of text, which determines a record in its entirety. This format typically includes a character count allotment, which defines where the beginning and end of the record occur.
- o *Pipe Delimited*: A text file format which separates each record by the Pipe Symbol "|" within the same column of the file.



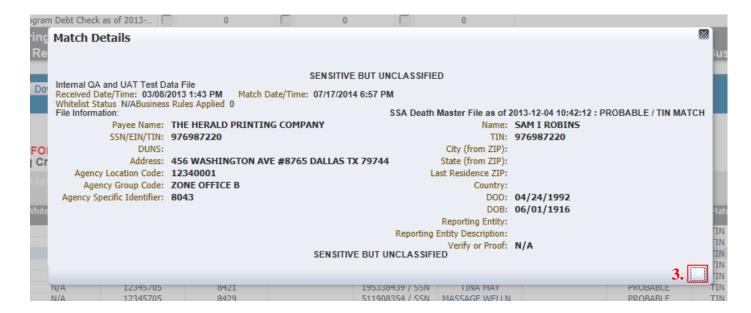
- 4. Your results will be displayed on the next screen. To view any Business Rules applied to the file, select the "+" next to "Business Rules". The number in parentheses will indicate how many business rules are currently applied.
- 5. Place a check in the box next to the data sources you would like to display. You can also choose to display results by match level by selecting the checkboxes next to Conclusive, Probable or Possible. Note: To search across all data sources, select the checkbox in the upper left hand corner of the page to automatically checkmark all data sources at once.
- 6. A list of Advanced Filtering options will be displayed below the data sources and number of matches. You can filter your list further by selecting the appropriate selection from the following dropdowns:
 - a. Whitelist Reason
- c. As of Date
- e. Business Rules Applied
- b. Agency Location Code d. Agency Group Code
- 7. When all desired criteria has been selected, click "View Results".
- 8. To export the match results in Excel, Fixed Width or Pipe Delimited format, click "Download Results".

Match Results for Continuous Monitoring

1. This page provides a summary of the matches based on the filters you selected. The results of your query will be displayed below and will be grouped by data source. To view the matches of a specific data source, click the "+" next to the title to expand.

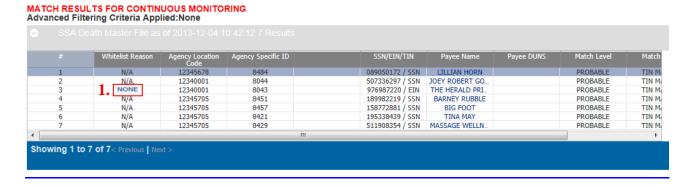


2. Selecting a hyperlinked "Payee Name" takes you to the Match Details screen where you can view the record's specific information.

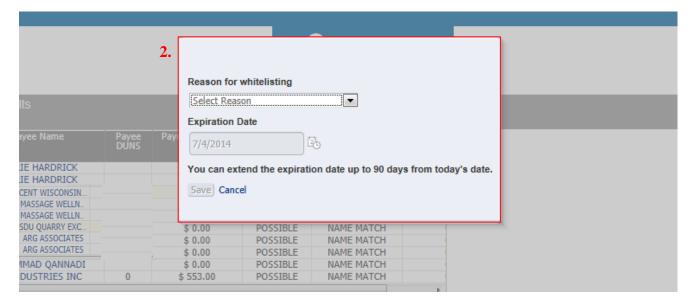


3. When finished reviewing the record's details, click the "OK" button in the right hand corner of the screen to return to the summary of matches.

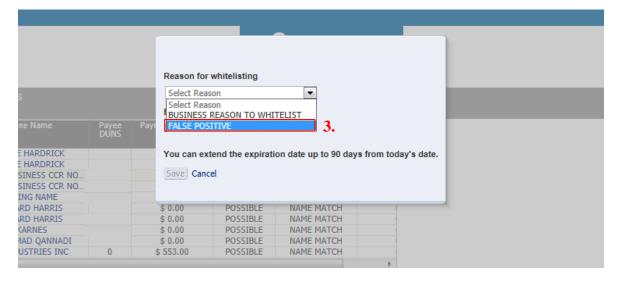
Whitelisting Continuous Monitoring Records



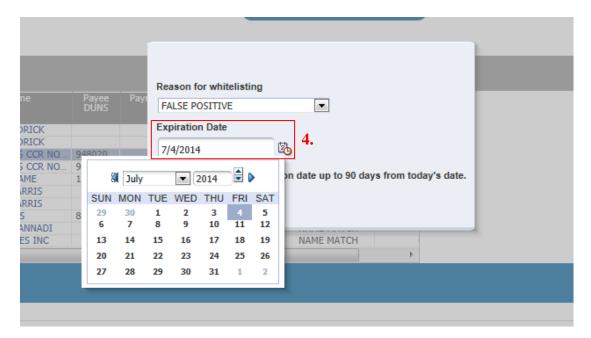
1. If a record is continually showing up in match results that you know represents a proper payment, you can choose to apply a whitelist reason. To indicate the Whitelist Reason, select the hyperlinked title next to the record you would like to whitelist. **Note: If the Whitelist Reason indicator is** "N/A", it is not eligible for whitelisting.



- 2. The "Whitelist Reason" popup box will appear with the following:
 - Reason for whitelisting
 - Expiration Date
 - Save/Cancel

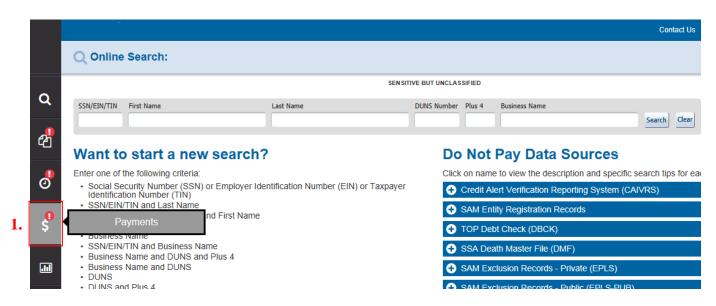


- 3. From the "Reason for whitelisting" dropdown, select one of the following options:
 - o Business Reason to Whitelist
 - False Positive
 - o No Longer Whitelisted

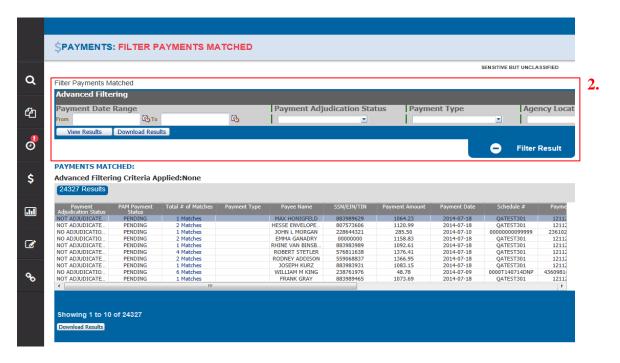


- 4. You can adjust the "Expiration Date" to determine the duration of the whitelist by manually typing the date in the form or by selecting the calendar icon to open a viewable calendar. **Note: You will only be able to extend the whitelist date 90 days from the current date.**
- 5. Click Save when complete.

PAYMENTS

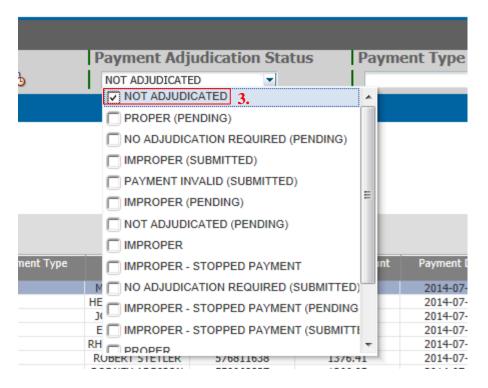


1. To access the Payments page, select the appropriate icon (dollar sign) on the navigation panel. **Note:** If the Portal function includes new match results that have not been viewed by the user, an icon in the form of a red circle with a white exclamation point will be displayed next to the Payments icon.



- 2. At the top of the screen, you will be presented with Advanced Filtering options. You can filter your results by the following:
 - Payment Date Range
- > Payment Type
- Business Rule Applied

- ➤ Adjudication Status
- > Agency Location Code
- Stop Payments Rule Applied
- > Agency Group Code



3. From the advanced filter dropdown, select the desired criteria. Repeat this step for any additional filters that you would like to add. **Note: Multiple filters can be selected in each of the filter dropdowns boxes.**

Filter Payments Matched



- 4. After selecting the desired advanced filters, click the "View Results" button and the updates to the Payments list will appear below.
- 5. To export the match results in Excel, Fixed Width or Pipe Delimited format, click "Download Results.
 - o *Excel*: A text file format that contains records separated by columns and rows. It is the most basic format for viewing as it is easily sortable by users.
 - o *Fixed Width*: A text file format that contains specific positions within a row of text, which determines a record in its entirety. This format typically includes a character count allotment, which defines where the beginning and end of the record occur.
 - o *Pipe Delimited*: A text file format which separates each record by the Pipe Symbol "|" within the same column of the file.

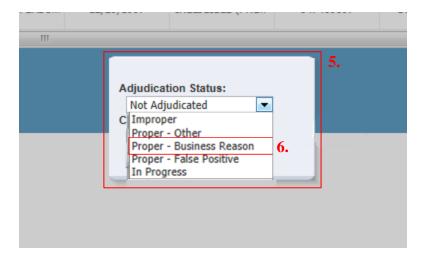
Match Results for Payments



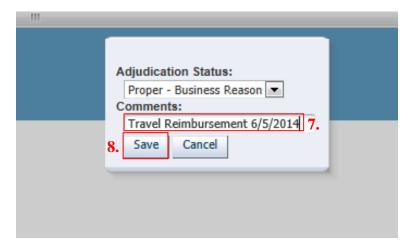
1. To view payments and adjudicate, click the hyperlink in the "Total # of Matches" column.



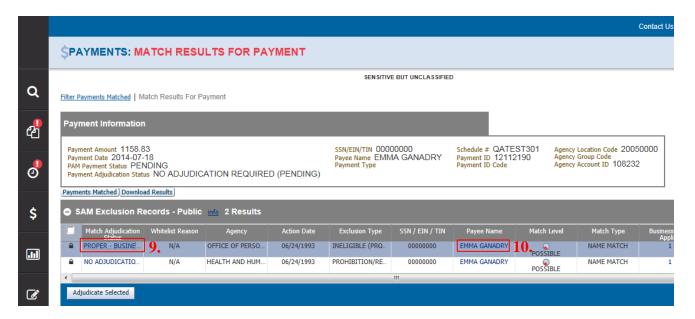
- 2. A new screen will appear with the payment information displayed at the top of the page.
- 3. Open up the data source(s) that you would like to view the matches for by clicking on the "+" next to the data source name
- 4. To take action on an individual payment, select the hyperlink in the "Match Adjudication Status" column. To learn how to take action on multiple records simultaneously, click here. Note: Records marked as "Not Adjudicated" have had no action taken and should be addressed immediately. If the match adjudication status is Business Rule Applied, Stop Payment Rule Met or Adjudication Report Already Submitted, you will be unable to change to a different adjudication status.



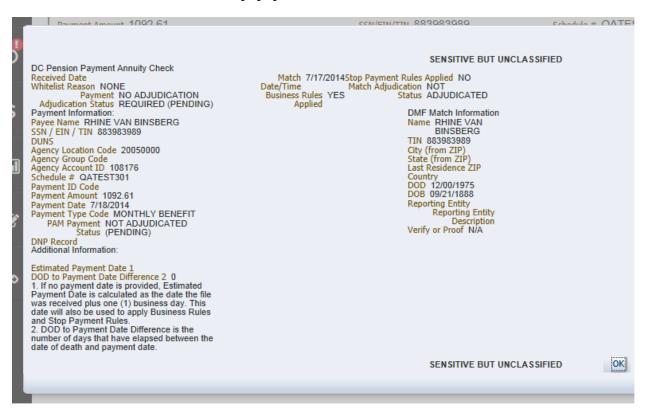
- 5. A tool tip window will appear and prompt you to select an Adjudication Status and enter any comments that you would like to save for the record.
- 6. Select the appropriate "Adjudication Status" from the following list:
 - a. Improper
 - b. Proper Other
 - c. Proper Business Reason
 - d. Proper False Positive
 - e. In Progress



- 7. In the "Comments" form, you can add a short description of why the "Adjudication Status" was selected. **Note: There is a maximum limit of 150 characters in this field.**
- 8. Click "Save" to update the adjudication status and log the comment.



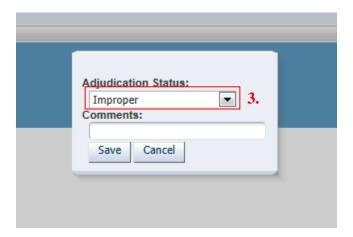
- 9. After clicking "Save" you will be taken to the previous screen where you can see the Match Adjudication Status has been changed.
- 10. Selecting a hyperlink from the "Name" column takes you to the Match Details screen where you can view the record's specific information. Below you will find an example of the information that is contained within the Match Details popup window.



Adjudicating Multiple Results for Payments



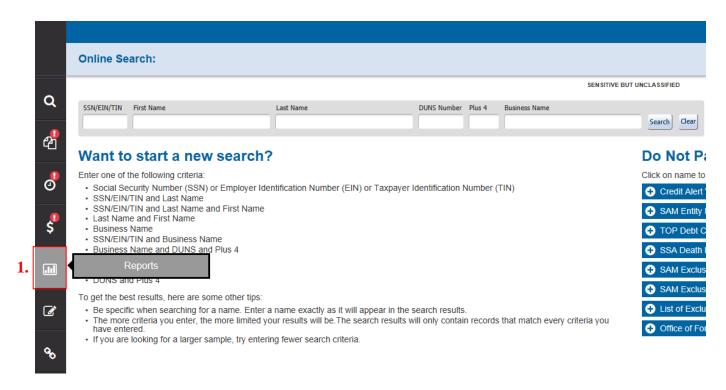
- 1. From the "Match Results for Payment" screen, select the check box next to multiple records.
- 2. Click the "Adjudicate Selected" button.



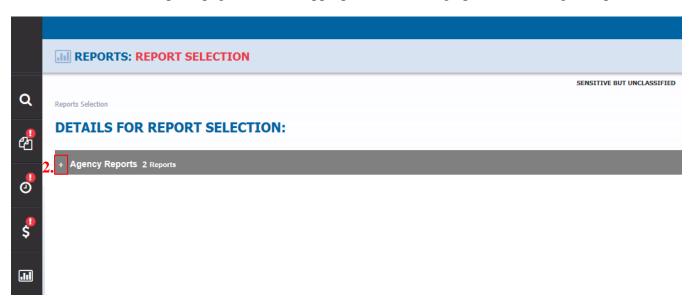
- 3. In the tool tip window, make the appropriate Adjudication Status designations and click "Save".
- 4. You will be returned to the previous screen where you can verify that the "Match Adjudication Status" has been changed for all selected records.



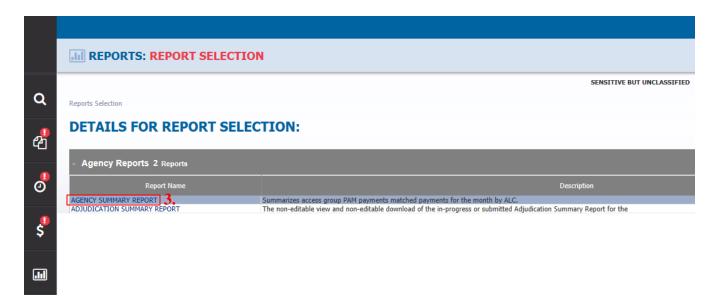
REPORTS



1. To access the Reports page, select the appropriate icon (bar graph) on the navigation panel.



2. To access a specific set of reports, click the "+" next to the Agency Reports header.



The Agency Reports tab will contain the following reports for your review:

- a. Agency Summary Report Summarizes access group PAM payments matched for the month by ALC
- b. Adjudication Summary Report The non-editable view and non-editable download of the in-progress or submitted Adjudication Summary Report for the access group for a report month (viewable at any point during the month)
- 3. Click the hyperlinked name of the report that you would like to view.



- 4. This will take you to a new screen where you can apply specific search criteria to the report that is going to be generated.
- 5. When complete, click the Generate Report button and your results will be displayed. Click <u>here</u> for examples of the reports that can be generated.

Example Reports

Agency Summary Report

Report Name:

Agency Summary Report <ACCESS GROUP BUSINESS NAME> Agency:

<DATA SOURCE> Data Source: <CALENDAR MONTH> Month: Eligibility Test: PAM Payments to [see note]



Payment Summary

	Total	Excluded from	(\$) Excluded from Matching	Total	Total Payments Excluded from	Payments (#) Excluded from
	Payments (\$)			Payments (#)	Matching (#)	Matching (%)
ALC XXXX	\$5,000.00	\$100.00	2.0000%	5,000	200	4.0000%
ALC XXXX	\$4,000.00	\$50.00	1.2500%	4,000	100	2.5000%
ALC XXXX	\$3,000.00	\$25.00	0.8333%	3,000	50	1.6667%
ALC XXXX	\$2,000.00	\$10.00	0.5000%	2,000	25	1.2500%
ALC XXXX	\$1,000.00	\$5.00	0.5000%	1,000	10	1.0000%
Agency TOTAL	\$ 15,000.00	\$ 190.00	1.2667%	15,000	385	2.5667%

				<match level=""> Match Summary</match>								
		Matched Payments	One Month Matched		Matched Payments	One Month Matched						
	Matched	(\$) as % of	Percent Payments (\$)	Matched	(#) as % of Total	Percent Payments (#)						
Pa	yments (\$)	Total	Change (\$) Trend	Payments (#)	Payments (#)	Change (#) Trend						
ALC XXXX	\$100.00	2.0000%	-50.0000%	10	0.2000%	-50.0000%						
ALC XXXX	\$50.00	1.2500%	-25.0000%	9	0.2300%	-5.0000%						
ALC XXXX	\$25.00	0.8300%	0.0000%	. 8	0.2700%	0.0000%						
ALC XXXX	\$10.00	0.5000%	4.0000%	7	0.3500%	5.0000%						
ALC XXXX	\$5.00	0.5000%	-2.5000%	_ 6	0.6000%	-10.0000%						
Agency TOTAL	\$190.00	1.2700%	-73.5000%	40	0.2700%	-60.0000%						
			·									

Adjudication Summary Report

Report Name: Do Not Pay Adjudication Report Agency: <ACCESS GROUP BUSINESS NAME>

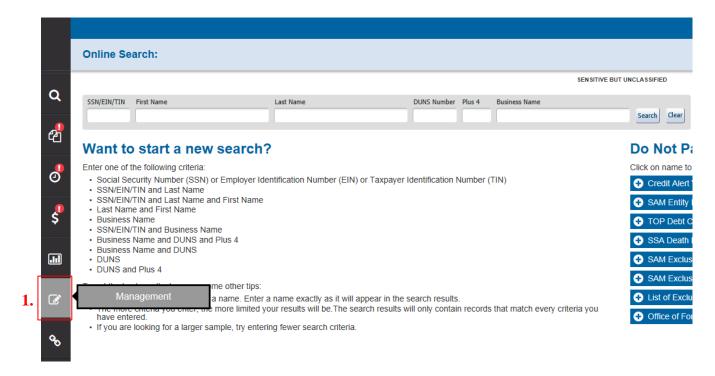
Month: <Calendar Month, Year>
Fiscal Year: <Fiscal Year>
Submitted Date: <Date>

	Number of Payments	Dollar Value of Payments
Payments During Report Month	,	<u> </u>
Total Payments	xxxx	\$xxxx.xx
Report Month		
Payments Matched	xxxx	\$xxxx.xx
Report Month Payments Stopped	xxxx	\$xxxx.xx
Report Month Payments Deemed to Represent "Proper Payments"	xxxx	\$xxxx.xx
Report Month Payments Deemed to Represent "Improper Payments"	xxxx	\$xxxx.xx
Report Month Payments Adjudication Not Required	xxxx	\$xxxx.xx
Report Month Payments Invalid	xxxx	\$xxxx.xx
Report Month Payments Not Adjudicated	xxxx	\$xxxx.xx
Prior Month(s)		
Prior Month(s) Payments Unresolved	xxxx	\$xxxx.xx
Prior Month(s) Payments Stopped	XXXX	\$xxxx.xx
Prior Month(s) Deemed to Represent "Proper Payments"	xxxx	\$xxxx.xx
Prior Month(s) Deemed to Represent "Improper Payments"	xxxx	\$xxxx.xx
Prior Month(s) Payments Not Adjudicated	xxxx	\$xxxx.xx
Remaining Not Adjudicated		
Remaining Not Adjudicated Payments for Prior Months plus Report Month	xxxx	\$xxxx.xx

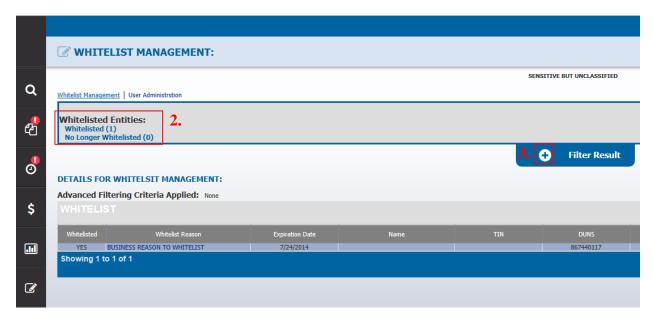
Submitted by: <First Name Last Name>
Submission Comments: <Comments>

User ID: <User ID>

WHITELIST MANAGEMENT

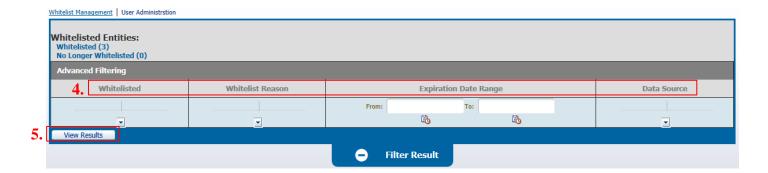


1. To access the Whitelist Management page, select the appropriate icon (pencil and paper) on the navigation panel. This page contains a listing of all payment matches that have been whitelisted by users within your access group hierarchy.

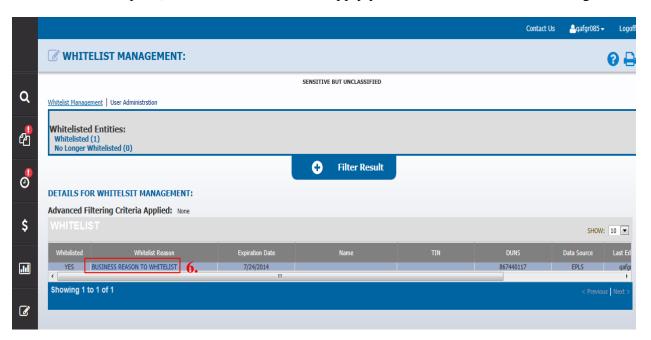


2. At the top of the screen under the "Whitelisted Entities" header, you can view the number of records that are currently "Whitelisted" for your agency and the number that are "No Longer Whitelisted".

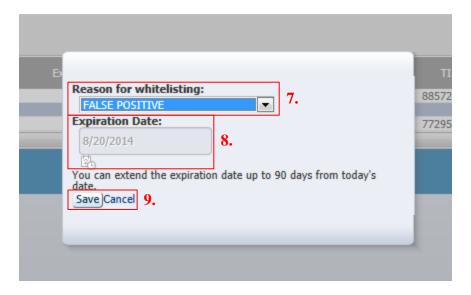
3. To view a list of Advanced Filtering options, click the "+" to expand the "Filter Result" section at the top of the page.



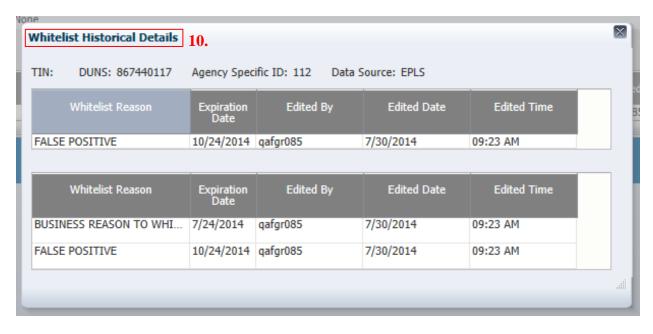
- 4. You can filter your list by selecting the appropriate selection from the following dropdowns:
 - a. Whitelisted
 - b. Whitelist Reason
 - c. Expiration Date Range
 - d. Data Source
- 5. When complete, select "View Results" to apply your filters to the Whitelist Management list.



6. To update the Whitelist Reason, select the hyperlinked title next to the record you would like to update.

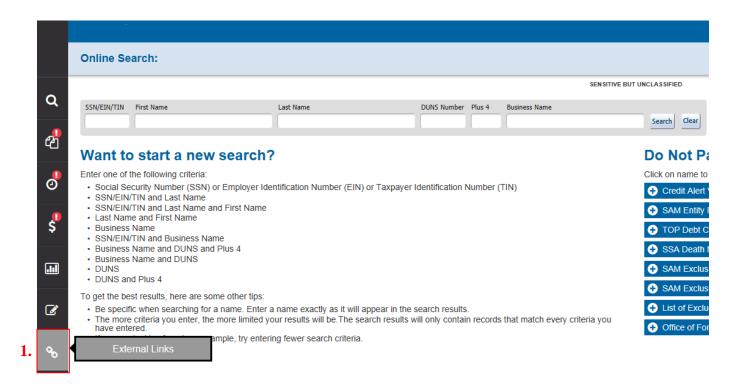


- 7. From the "Reason for whitelisting" dropdown, select one of the following options:
 - a. Business Reason to Whitelist
 - b. False Positive
 - c. No Longer Whitelisted
- 8. You can also adjust the "Expiration Date" to determine the duration of the whitelist. Please note, you will only be able to extend the whitelist duration 90 days from the current date.
- 9. Click "Save" when complete to update the record or click "Cancel" and the records current classification will remain the same.

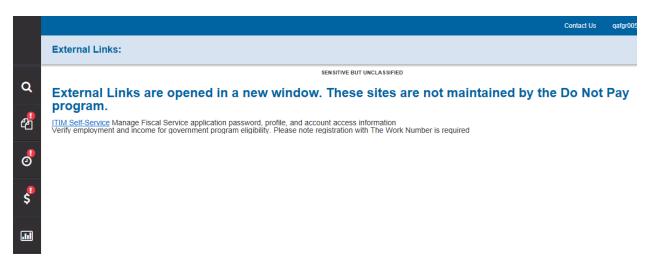


10. To view the "Whitelist Historical Details" of a record, click the "Details" link on the main Whitelist Management page next to the record you would like to view. A popup box will appear and show the previous whitelist reasons, expiration dates and which user(s) last edited the record. See above for a sample of "Whitelist Historical Details"

EXTERNAL LINKS



1. To access the External Links page, select the appropriate icon (chain links) on the left panel of the screen. Note: All external links will open in a new window and are not maintained by the Do Not Pay program.



➤ ITIM Self-Service – Manage Fiscal Service application password, profile and account access information.